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## CHAPTER 19.04 PERMISSIBLE USES

### 19.04.010 LAND USE TABLES

Buildings, structures and land shall be used in accordance with the uses permitted in the following Land Use Tables, subject to all other applicable requirements of this Title.

**Table 1. Interpretation of Land Use Tables**

SYMBOL	MEANING
P	The use is permitted as a principal use in that zoning district by right.
A	The use is permitted as an accessory use to a main use in the district. This does not exclude other land uses which are generally considered accessory to the primary use.
C	The use is permitted subject to meeting specified conditions. These conditions are listed in Subchapter 19.04.040.
S	The principal use is permitted in that zoning district only after first obtaining a Special Use Permit (SUP) as set forth in Subchapter 19.18.060.
* (by name of use)	Base standards are required for this SUP approval. These standards are listed in Subchapter 19.04.050.
+ (by name of use)	Special standards are associated with certain uses. These standards are listed in Subchapter 19.04.060.
	A blank square shall mean that the use is not allowed in that zoning district as a principal use.

Table 2. Land Use Tables

P=Permitted A=Accessory Use C=Permitted with Conditions (see Subchapter 19.04.040) S=SUP H=Home Occupation Permit (see Subchapter 19.04.060) TCP=Temporary Commercial Permit  
 "\*" (by name of use) Base standards are required for this SUP approval (Subchapter 19.04.050)  
 "+" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

RESIDENTIAL														PERMITTED USES				COMMERCIAL					INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RURAL & ANIMAL-RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M					
Ord 5446 2/20/06	S	S										Animal Hospital, Clinic, or Shelter with Outside Pens					S	P		P	P					
Ord 5728 10/6/04												Animal Hospital, Clinic, or Shelter without Outside Pens			S	S	S	P		P	P					
Ord 5446 2/20/02	C	C	C									Animal Keeping & Husbandry														
Ord 5728 10/6/04	C	C										Animal Keeping , Wild or Exotic									C					
	P	P										Animal Production														
	P	P										Crop Production														
	S	S	S									Horse Corral or Stable (Commercial)					C	C		C	C					
Ord 5722 9/1/04	C	C	C									Horse Corral or Stable (Private)														
Ord 5609 6/18/03	S	S	S	S								Keeping of Carrier or Racing Pigeons				S	S	S		S	S					
Ord 5675 3/17/04												Livestock Farming (Bovines/Horses)														
Ord 5728 10/6/04	C	C	C																							
Ord 5737 12/15/04												Pet Boarding*					S	S		C	C					

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RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RESIDENTIAL & LODGING	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M	
						S	P	P	P			Assisted Living Apartments					S	P				
S	S	S	S	S	S	S	S	S	S			Bed & Breakfast Inn	S	S								
							P	P	P			Boarding or Rooming House								S		
C	C	C										Caretaker's Quarters/Domestic or Security Unit					A	A		A	A	
						P	P	P	P			Condominium	C	C	C	C	C	C				
							P	P	P			Convent or Monastery										
							S	S	S			Fraternity, Sorority House, or Private Dorm										
C	C	C	C	C	C	C	C	C	C			Group Residential Care Facility										
C	C	C	C	C								Guest House/Casita										
H	H	H	H	H	H	H	H	H	H	H	H	Home Occupation										
												Hotel or Motel						P	S	P		
								S	S			Hotel, Residence					S	S	S	P		
P	P	P	P	P	P	P	P	P	P	P		Individual Residential Care Facility										
P	P	P	P	P	P	P	P	P	P	P		Manufactured Home + (qualifying for treatment as Single Family Detached Dwelling)										

Ord 5728  
10/6/04Ord 5728  
10/6/04

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RESIDENTIAL										PERMITTED USES				COMMERCIAL					INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH/R-MHP	RESIDENTIAL & LODGING, CONTINUED			P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
										P	P	Manufactured Home (not qualifying for treatment as Single Family Detached Dwelling)										
										P	P	Mobile Home +										
										P	P	Mobile Home Park +										
							P	P	P			Multi-Family										
P	P	P	P	P	P	P	P	P	P	P	P	Patio Cover										
							C	C	C			Senior Citizens Apartments*						S				
						P	P	P	P			Single Family, Attached										
P	P	P	P	P	P	P	P	P	P	P		Single Family, Detached										
				P								Single Family, Zero Lot Line +										
									S			Single Room Occupancy Residence							S		P	
												Time Share Development							C			
							P	P	P			Townhouse										
					P		P	P	P			Two-Family Dwelling										
												Trailer/RV Camp/Park *						S	S		S	P

Ord 5665  
2/5/03Ord 5638  
11/19/03Ord 5728  
10/6/04

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RESIDENTIAL												PERMITTED USES		COMMERCIAL						INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	INSTITUTIONAL & COMMUNITY SERVICE	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M		
												Blood Plasma Donor Center						S		S	S		
C	C	C										Cemetery/ Mausoleum						C		C	C		
P	P	P	P	P	P	P	P	P	P			Child Care - Family Home (1-6 Children)											
S	S	S	S	S	S	S	S	S	S	S		Child Care - Group Home (7-12 Children)*											
S	S	S	S				S	S	S	S	S	Child Care Center	C	C	C	P	P	P	P	P	P		
S	S	S	S	S	S	S	S	S	S	S	S	Church/House of Worship *	P	P	P	P	P	P	P	P	P		
												College, University, or Seminary			S		P	P	P	P	P		
S	S	S	S	S	S	S	S	S	S			Convalescent Care Facility/Nursing Home *					S	S	P				
												Crematorium						C		C	C		
												Emergency Ambulance Services, Ground					S	P	P	P	P		
												Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse					S	S		C	C		
												Government Facility	P	P	P	P	P	P	P	P	P		
							S	S	S			Halfway House						S		S			
	S	S					S	S	S			Hospice	S	S	S	P	P	P		S	S		

Ord 5728  
10/6/04Ord 5633  
11/5/03Ord 5628  
10/1/03

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RESIDENTIAL														PERMITTED USES				COMMERCIAL						INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	INSTITUTIONAL & COMMUNITY SERVICE CONTINUED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M						
												Hospital			S		C	P	P	P	P						
												Library, Art Gallery or Museum (Public)	P	P	P	P	P	P		P	P						
												Mortuary or Funeral Chapel					S	P		P	P						
												Post Office, Local Service	P	P	P	P	P	P	P	P	P						
												Post Office, Regional						P	P	P	P						
												Prison/Custodial Institution									S						
C	C	C	C	C	C	C	C	C	C	C	C	Public or Private School, Primary	C	C	S	S	S	C	C	C	C						
S	S	S	S	S	S	C	C	C	C	C	C	Public or Private School, Secondary	C	C	S	S	S	S	S	S	S						
												Rescue Mission or Shelter for the Homeless						S		S	S						
												Sex Offender Counseling Facility					S	S		C	C						
												Social Service Provider, except Rescue Mission or Homeless Shelter			S	S	S	S		S	S						
S	S	S	S	S	S	S	S	S	S			Transitional Living Group Home															

Ord 5633  
11/5/03

Ord 5728  
10/6/04

Ord 5633  
11/5/03



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RESIDENTIAL														PERMITTED USES			COMMERCIAL					INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	OFFICE & PROFESSIONAL	P-R	N-S	O	C-D	C-1	C-2	CPB	C-M	M				
Ord 5551 12/4/02												Auto Title Loan *					S	S			C				
Ord 5561 1/22/03												Clinic					P	P	P		P				
Ord 5561 1/22/03												Financial Institution, Specified*			S	S	S	S		C	C				
Ord 5561 1/22/03												Financial Institution, General with Drive- Through			C	C	P	P	P	P	P				
Ord 5561 1/22/03												Financial Institution, General without Drive- Through			P	P	P	P	P	P	P				
Ord 5633 11/5/03												Office, Medical	P	P	P	P	P	P	P	P	P				
												Office, Other Than Listed	P	P	P	P	P	P	P	P	P				
Ord 5633 11/5/03												Psychology Practice	P	P	P	P	P	P	P	P	P				

RESIDENTIAL													PERMITTED USES				COMMERCIAL					INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RECREATION, ENTERTAINMENT & AMUSEMENT	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M				
												Billiard Parlor or Pool Hall Commercial					S	P		P	P				
												Amusement/ Recreation (Indoor) Commercial					P	P	S	P	P				
												Amusement/ Recreation (Outdoor) Community Center, Private (Accessory)						P		P	P				
C	C	C	C	C	C	C	A	A	A	C	C	Community Recreational Facility, Public	P	P	P	P	P	P	P	P	P				
P	P	P	P	P	P	P	P	P	P	P	P	Country Club, Private	S	S	P	P	P	P		P	P				
S	S	S	S	S	S	S	S	S	S	S	S	Escort Bureau					S	S		P	P				
												Gaming Establishment, Restricted License					A	A	A	A	A				

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RESIDENTIAL														PERMITTED USES					COMMERCIAL					INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RECREATION, ENTERTAINMENT & AMUSEMENT, CONT.		P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M					
												Gaming Establishment, Non-restricted +						S	S		S	S					
												General Business-Related Gaming Establishment						S	S	S	S	S					
												Golf Driving Range			S	S		P	P		P	P					
												Gun Club, Skeet or Target Range (Indoor)							S		P	S					
S	S											Gun Club, Skeet or Target Range (Outdoor)									S	P					
												Health Club			C	A	P	P	P	S	P	P					
												Night Club						S	P	S	P	P					
												Outcall Entertainment Referral Service*						S	S		P	P					
												Private Club, Lodge or Fraternal Organization				S		P	P		P	P					
												Private Sports Arena, Stadium or Track							S		S	P					
P	P	P	P	P	P	P	P	P	P	P	P	Public Park or Playground		P	P	P	P	P	P	P	P	P					
												Sexually-Oriented Business									C	C					
												Social Event with Alcoholic Beverage Sales		S	S	S	S	S	S	S	S	S					
												Teen Dance Center						C	C		C	C					
P	P	P	P	P	P	P	P	P	P	P	P	Tennis Courts +				A	A	A	A								

Ord 5551  
12/4/02

Ord 5607  
6/18/03

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	RESIDENTIAL												PERMITTED USES	COMMERCIAL							INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RETAIL & PERSONAL SERVICES	PR	N-S	O	C-D	C-1	C-2	C-PB	C-M	M		
Ord 5551 12/4/02													Antique/Collectible Store		S				P	P		P	P	
Ord 5564 2/5/03													Astrologer, Hypnotist, or Psychic Art and Science	S	S			P	P		P	P		
Ord 5728 10/6/04													Banquet Facility					P	P	A	P			
Ord 5728 10/6/04													Business School			P		P	P	P	P	P		
Ord 5728 10/6/04													Catering Service	C	C		C	P	P	P	P	P		
													Cleaners, Commercial / Industrial*						S		P	P		
													Copy Center	P	P	P	P	P	P	P	P	P		
													Dry Cleaners*		P	S	S	P	P	S	P	P		
													Garden Supply/Plant Nursery		C		C	C	C		P	P		
													General Personal Service		P	A	P	P	P	S	P	P		
													General Retail Store, Other than Listed, 3500 Sq. Ft. or more					P	P	S	P	P		
													General Retail Store, Other than Listed, Less than 3500 Sq. Ft.		C	A	C	P	P	S	P	P		
													Hotel Lounge Bar						S	S	S			
													Jewelry Store, Class III					S	S		S	C		
													Jewelry Store, New					P	P		P	P		

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U	RA	RE	RD	R-1	RCL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RETAIL & PERSONAL SERVICES CONT.	P.R	N.S	O	C-D	C-1	C-2	C-PB	C-M	M
												Laundry, Self Service		S			P	P		P	P
												Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale) *				S	S	S		S	S
												Liquor Establishment (Tavern) *					S	S	S	S	S
Ord 5606 6/4/03												Massage Establishment*	A	A	A	A	S	S	S	S	C
												Museum or Art Gallery (Private)	S	P	P	P	P	P	P	P	P
Ord 5728 10/6/04												Open Air Vending/ Transient Sales Lot					C	C		C	C
												Pawn Shop					S	S		S	C
Ord 5561 1/22/03												Pawn, Auto*								S	C
												Pet Shop		S			C	C		C	C
												Rental Store, w/ Outside Storage						S		P	P
												Rental Store, w/o Outside Storage		S			P	P		P	P
												Restaurant with Service Bar *		S	S	S	S	S	S	S	S

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RESIDENTIAL														PERMITTED USES				COMMERCIAL						INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHF	RETAIL & PERSONAL SERVICES CONT.	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M						
												Restaurant, 2000 Sq. Ft. or more, w/ Drive-Through					P	P		P	P						
												Restaurant, 2000 Sq. Ft. or more, w/o Drive-Through			A		P	P	P	P	P						
												Restaurant, Less than 2000 Sq. Ft., w/ Drive-Through		S			P	P		P	P						
												Restaurant, Less than 2000 Sq. Ft., w/o Drive-Through		P	A		P	P	S	P	P						
Ord 5728 10/6/04												Secondhand Dealer					S	S		C	C						
												Service Station					S	S		C	C						
												Supper Club *		S	S	S	S	S	S	S	S						
Ord 5688 4/21/04												Swap Meet *					S	S		C	C						
												Tattoo Parlor/Body Piercing Studio						S		P	P						
Ord 5607 6/18/03												Tavern-Limited Establishment					S	S	S	S	S						
Ord 5728 10/6/04												Thriftshop					S	S		C	C						
												Thriftshop, Non-profit					S	S		S	C						
Ord 5728 10/6/04												Wedding Chapel					P	P		P	P						

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U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	COMMERCIAL & BUSINESS SERVICES	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M				
												Bailbond Service					S	S		P	P				
												Building & Landscape Material/Lumber Yard					S	C		P	P				
												Building Maintenance Service & Sales					S	C	S	P	P				
												Cleaners, Commercial						P	S	P	P				
												Commercial, Other than Listed						P	S	P	P				
												Construction Material Supply Yard								P	P				
												Custom & Craft Work					S	C		P	P				
												Daily Labor Service					S	S		S	S				
												Desktop Publishing	P	P	P	P	P	P	P	P	P				
												Employment Agency	P	P	P	P	P	P	P	P	P				
												Electrical, Watch, Clock, Jewelry & Similar Repair		P	A	A	P	P	S	P	P				
												Food Processing						C		P	P				
												Heavy Machinery & Equipment (Rental, Sales & Service)								P	P				
												Laboratory, Medical or Dental	A	A	A	A	P	P	P	P	P				
												Mobile Home/Trailer Sales Lot								P	P				
												Off Premise Advertising Sign					S	S		S	S				
												Trade School			C		P	P	P	P	P				

Ord 5653  
12/17/035633  
11/5/03

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 "+" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

RESIDENTIAL													PERMITTED USES			COMMERCIAL						INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHF	AUTO & MARINE-RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M				
												Auto Broker					C	C		C	C				
												Auto Dealer Inventory Storage	S				S	S	S	S	S				
												Auto Paint & Body Repair Shop *						S		C	C				
												Auto Parts (Accessory Installation)					C	P		P	P				
												Auto Parts (New & Rebuilt) (Accessory Sales Service)					S	C		P	P				
Ord 5505 9/4/02												Auto Repair Garage, Major*						S		C	C				
												Auto Repair Garage, Minor					S	C		C	C				
												Auto Smog Check					C	C		C	C				
Ord 5728 10/6/04												Automobile Rental					S	C		C	C				
												Automobile Repossession Agency					C	C		C	C				
												Boat & Trailer Dealership (New and Used)						S		C	C				
												Car Wash/Auto Detail					S	P		P	P				
Ord 5499 8/7/02												Car Wash, Self Service*					S	P		P	P				
Ord 5552 12/4/02												Motorcycle/Motor Scooter Sales*					S								
												Motor Vehicle Sales (New)						C		C	C				
												Motor Vehicle Sales (Used)						S		C	C				
												Parking, Commercial	C		S	S	P	P	P	P	P				
Ord 5589 4/16/03												Recreational Vehicle and Boat Storage*		S			S	C		C	C				
Ord 5498 8/7/02												Taxicab/Limo Yard								P	P				
												Towing & Impound Yard								C	C				
												Towing Service, No Storage						S		P	P				
												Truck Rental						S		P	P				
Ord 5619 8/6/03												Valet Parking		C	C	C	C	C		C	C				

Table 2. Land Use Tables

P=Permitted A=Accessory Use C=Permitted with Conditions (see Subchapter 19.04.040) S=SUP H=Home Occupation Permit (see Subchapter 19.04.060) TCP=Temporary Commercial Permit  
 "\*" (by name of use) Base standards are required for this SUP approval (Subchapter 19.04.050)  
 "+" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

RESIDENTIAL											PERMITTED USES	COMMERCIAL					INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MR-MHI	INDUSTRIAL & MANUFACTURING	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
											Asphalt or Concrete Batch Plant									P
											Environmentally Hazardous Materials									P
											Light Assembly & Fabrication					C	C	P	P	P
											Manufacturing, Heavy								S	P
											Manufacturing, Light							P	P	P
S											Mining, Sand & Gravel Excavation								S	S
											Printing & Publishing							P	P	P
											Salvage or Reclamation of Products (Indoors)							S	P	P
											Salvage or Reclamation of Products (Outdoors)									C
											Slaughter and Processing of Live Poultry				S	S	S	S	S	P
											Welding Repair								P	P

Ord 5613  
7/2/03



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RESIDENTIAL											PERMITTED USES		COMMERCIAL						INDUSTRIAL			
U	R-A	RE	RD	R-1	RCL	R-2	R-3	R-4	R-5	R-MH R-MHP	WHOLESALE, DISTRIBUTION & STORAGE	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M		
											Cold Storage Plant						P		P	P		
											Contractors Plant, Shop & Storage Yard								P	P		
											Heavy Construction Trade Yard									P		
											Landfill									S		
P	P	P	P	P	P	P	P	P	P	P	LPG Installation 288 Gallons or Less +	P	P	P	P	P	P	P	P	P		
											LPG Installation over 288 Gallons +					S	S	S	S	S		
											Mini-warehouse		S			S	C		C	C		
											Outside Storage +						C	A	C	C		
											Recycling Collection Center								C	C		
											Warehouse/ Distribution Center							S	P	P		
											Wholesale Showroom Facility						P	S	P	P		

Ord 5589  
4/16/03

Table 2. Land Use Tables

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RESIDENTIAL												PERMITTED USES		COMMERCIAL						INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	UTILITIES, COMMUNICATIONS & TRANSPORTATION	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M		
												Airport, Heliport or Landing Field								P	P		
												Bus Charter Service & Service Facility								P	P		
												Electric Generating Plant						S	S	S	S		
S							S	S	S			Electric Utility Substation			S	S	P	P	P	P	P		
												Helipad			S		S	S	S	P	P		
S	S	S	S	S	S	S	S	S	S	S	S	Monorail	S	S	S	S	S	S	S	S	S		
S	C	C	C	C	C	C	P	P	P	P	P	Mounted Antenna of 15' or Less (Ultimate Height)	P	P	P	P	P	P	P	P	P		
S	S	S	S	S	S	S	S	S	S	S	S	Mounted Antenna over 15' (Ultimate Height)	S	S	S	S	S	P	S	P	P		
C	C	C	C	C	C	C	C	C	C	C	C	Private Streets											
												Radio Broadcasting			P	P	P	P	P	P	P		
												Radio, TV, Microwave Communication Tower			S	S	S	S	S	S	P		
												Railroad Yard or Shop									P		
												Recording Studio					S	P	S	P	P		
												Transit Passenger Facility						P		P	P		

Ord 5478  
5/1/02Ord 5685  
4/21/04

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RESIDENTIAL												PERMITTED USES		COMMERCIAL						INDUSTRIAL			
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	UTILITIES, COMMUNICATIONS & TRANSPORTATION, CONTINUED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M		
												Trucking Company*							S		P		
												TV Broadcasting & Other Communication Service			S		S	S	S	P	P		
S	S	S	S	S	S	S	S	S	S	S	S	Utility Installation, Other than Listed	S	S	S	S	S	P	P	P	P		
C	C	C	C	C	C	C	C	C	C	C	C	Utility/ Transmission Lines	C	C	C	C	C	C	C	C	C		
C	C	C	C	C	C	C	C	C	C	C	C	Wireless Communication Facility, Stealth Design	C	C	C	C	C	C	C	C	C		
S	S	S	S	S	S	S	S	S	S	S	S	Wireless Communication Facility, Non-Stealth Design*	S	S	S	S	S	S	S	S	S		

Ord 5655  
12/12/03

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 "S" (by name of use) Base standards are required for this SUP approval (Subchapter 19.04.050)  
 "H" (by name of use) Specific standards are associated with use (Subchapter 19.04.060)

RESIDENTIAL													PERMITTED USES		COMMERCIAL					INDUSTRIAL		
U	R-A	R-E	R-D	R-1	R-CE	R-2	R-3	R-4	R-5	R-MH/R-MHP	TEMPORARY USES		P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M	
Ord 5551 12/4/02												Parking Lot/Sidewalk Sale		TCP			TCP	TCP	TCP			
Ord 5551 12/4/02	TCP	TCP										Seasonal Outdoor Sales	TCP	TCP			TCP	TCP	TCP	TCP	TCP	
Ord 5551 12/4/02	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	Temporary Contractor's Construction Yard	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	TCP	
Ord 5551 12/4/02	TCP	TCP										Temporary Outdoor Commercial Event					TCP	TCP	TCP	TCP	TCP	
Ord 5551 12/4/02	C	C	C	C	C	C	C	C	C	C	C	Temporary Real Estate Sales Office	C	C	C	C	C	C		C	C	
Ord 5663 1/21/04																						

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RESIDENTIAL												PERMITTED USES				COMMERCIAL				INDUSTRIAL				
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	MIXED USES				P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
							S	S				Mixed Use*				S	S	S		S	S	S	S	

Ord 5738  
 12/15/04

**19.04.020 ACCESSORY USES AND STRUCTURES****A. General**

An accessory use or structure which is customarily incidental to the principal use or structure, and is located on the same lot or tract of land shall be permitted as an accessory use without being separately listed as a permitted use.

**B. Particular Accessory Uses**

In any residential zoning district, each of the following uses shall be considered an accessory use to the extent described, without being separately listed in the Land Use Tables, provided in each case that the use is incidental to the property's use as a dwelling and does not alter the character of its use as a dwelling of the character permitted in the respective district:

1. The renting of rooms, providing of board, or both, for not more than three unrelated persons, where no care is provided;
2. Garage or yard sales, provided that:
  - a. No property may be offered for sale which has not been owned and used by the occupant of the premises;
  - b. No more than two garage or yard sales shall be conducted on the premises in any calendar year;
  - c. No garage or yard sale shall be conducted for longer than three days duration;
  - d. Garage or yard sales may be conducted during the daylight hours only; and
  - e. No more than one outdoor sign may be used to advertise a garage or yard sale. Such a sign must not exceed sixteen square feet in size and must be located within the boundaries of the lot on which the garage or yard sale takes place or on other private property, with the consent of the owner thereof.

**19.04.030 TEMPORARY COMMERCIAL PERMITS**

Temporary uses are permitted in accordance with the standards and procedures found in Subchapter 19.18.100.

Ord 5633  
11/5/03

## **19.04.040 CONDITIONAL USES**

### **A. General**

In addition to the other requirements of this Title, the following regulations shall apply to each of the uses in districts where they are indicated with a "C" in the Land Use Tables. The Conditional Uses are listed alphabetically below in Section (C). The bracketed references to zoning districts are for convenience only, and the Land Use Tables shall prevail in the event of any conflict.

### **B. Special Use Permit Required**

Except as otherwise specifically provided regarding a particular use, when not all the itemized conditions can be met, a Special Use Permit is required for the use. Special Use Permit approval may require additional conditions beyond those itemized below.

### **C. Conditions**

#### **ANIMAL KEEPING AND HUSBANDRY [U, R-A, R-E]**

1. The applicant must submit to the Planning and Development Department, for administrative review and approval, a site plan with notes indicating the number and types of animals to be kept or reproduced on the premises.
2. All operations and activities shall be in accordance with LVMC Title 7.

Ord 5728 10/6/04

#### **ANIMAL KEEPING--WILD OR EXOTIC [U, R-A, M]**

1. Animals shall be confined at all times within a secured, enclosed or fenced area.
2. Animals which are kept outdoors must be located at least 1,500 feet from any residential dwelling, school, childcare facility or public park.
3. The site must have a minimum area of 2 acres.
4. All operations and activities shall be in accordance with LVMC Title 7.

#### **AUTO BROKER [C-1, C-2, C-M, M]**

1. No more than two vehicles may be displayed or stored on the property.
2. Required on-site parking shall be provided in accordance with the applicable provisions of Section 19.10.010(F).
3. The installation and use of an outside public address system or bell system is prohibited.
4. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
6. The repair or servicing of vehicles is not allowed.

7. No retail sales of vehicles is allowed.
8. The Special Use Permit provisions of Section 19.04.040(B) do not apply to an auto broker use.

#### **AUTO PAINT & BODY REPAIR SHOP [C-M, M]**

1. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
2. All disabled or wrecked vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.
3. Openings in service bays shall not face public right-of-way and shall be designed to minimize visual intrusion into adjoining properties.
4. All repair work shall be performed within an enclosed building.

#### **AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) [C-2]; AUTO PARTS (ACCESSORY INSTALLATION) [C-1]**

1. If an installation service is offered, the service shall be restricted to the installation of minor parts only, including batteries, windshield wipers, hoses, fuses, lights, radios and similar minor elements, but excluding engine, transmission and differential service, repair or installation.
2. All installation work shall be done within a completely enclosed building.
3. Access doors to the installation bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. No dismantling, re-manufacturing or rebuilding shall be permitted.
5. No used or discarded minor automotive parts shall be located or stored in any open area outside of an enclosed building.

#### **AUTO REPAIR GARAGE, MAJOR [C-M, M]**

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located or stored in any open area outside of the enclosed building.
5. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets.



**AUTO REPAIR GARAGE, MINOR [C-2, C-M, M]**

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
5. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

Ord 5728, 10/6/04

**AUTOMOBILE RENTAL [C-2, C-M, M]**

1. The minimum site area shall be 25,000 square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Service bays for repairs, installations, cleaning or gas dispensing services facing a public street or a residential zoning district shall be screened to a height of at least eight feet.

**AUTOMOBILE RESPOSSESSION AGENCY [C-1, C-2]**

1. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
2. No vehicle repair or maintenance shall take place on the premises.
3. Required on-site parking shall be in accordance with the requirements of Section 19.10.010(F) for motor vehicle rentals.
4. No used or discarded automotive parts or equipment shall be located in any open areas.

**AUTO SMOG CHECK FACILITY [C-1, C-2, C-M, M]**

1. The facility must have a minimum size of 400 square feet, of which a minimum of 200 square feet must be an enclosed structure, with the remainder of the facility allowed to be located under services canopies.
2. All equipment must be stored and utilized within the enclosed structure.
3. If conducted as an accessory use to a service station, minor auto repair facility, or major auto repair facility, the Auto Smog Check facility shall be designed to be architecturally compatible with the primary building on the site.

4. If service bay doors are provided, openings to service bay doors shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. When operated as a primary use, no other automobile repair shall be permitted in conjunction with an Auto Smog Check facility.
6. No required parking spaces shall be used or eliminated to provide for the Auto Smog Check facility.

Ord 5682 4/21/04  
Ord 5561 1/22/03

#### **AUTO TITLE LOAN [C-M, M]**

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
  - a. Cover more than twenty percent (20%) of the area of all exterior windows;
  - b. Include flashing lights or neon lighting; or
  - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

#### **BOAT AND TRAILER SALES DEALERSHIPS, NEW AND USED [C-M,M]**

1. The minimum site area shall be 25,000 square feet.
2. No vehicle, boat or trailer service or repair work shall occur except within a fully enclosed structure.
3. Service bays with individual access from the exterior of the structure shall not directly face or front on a public right-of-way.

**BUILDING & LANDSCAPE MATERIAL/LUMBER YARD [C-2]**

1. Outside storage and sales are prohibited.
2. Outside storage shall be screened from view of adjacent properties and streets.

**BUILDING MAINTENANCE SERVICE & SALES [C-2]**

Outside storage shall be screened from view of adjacent properties and streets.

**CARETAKER'S QUARTERS/DOMESTIC OR SECURITY UNIT [U, R-A, R-E]**

1. Unit shall not be taller than main structure.
2. A caretaker or domestic unit shall be designed as a separate dwelling containing a bedroom, bathroom, kitchen and other living space, provided the living quarters are attached to and have interior access to the main dwelling.
3. The unit shall only be occupied by a caretaker or domestic employee of the occupant of the main dwelling.
4. No unit shall be used for rental purposes.

**CATERING SERVICE [P-R, N-S, C-D]**

1. The number of delivery vehicles shall be limited to two.
2. The maximum floor area shall not exceed 2,500 square feet.

**CEMETERY/MAUSOLEUM [C-2, C-M, M]**

1. A decorative masonry and/or wrought iron fence with a minimum height of six feet shall be constructed around the perimeter of the cemetery site. The wall along the primary street frontage shall be set back a minimum of 35 feet from the front property line. The front yard area shall not be used for interment and shall be landscaped.
2. Cemeteries shall only be allowed on parcels abutting and having access to collector streets or larger.

**CHILD CARE CENTER (MORE THAN 12 CHILDREN) [P-R, N-S, O]**

1. Access to the child care center shall be by means of a collector street or larger.
2. The maximum lot coverage shall not exceed 30 percent.
3. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking shall be approved by the City Traffic Engineer prior to the issuance of any building permits.
4. Where structures or play areas have residential adjacency:
  - a. An eight foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of 24 inch box and shall be installed at a minimum of 20 feet on center and shall be a variety that will grow together to form a visual screen.

- b. The building entrance and access shall be oriented away from residential uses on local streets.
  - c. Outdoor play shall be limited to daylight hours.
  - d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.
5. The use is subject to the child care regulations and standards of the Department of Finance and Business Services.

**COMMUNITY CENTER, PRIVATE (ACCESSORY) [U, R-A, R-E, R-D, R-1, R-CL, R-2, R-MH, R-MHP]**

1. The Community Center must be located on a collector street or larger.
2. The structure shall be limited to a single story.
3. A maximum of 3,000 square feet in floor area is allowed.
4. The structure shall be designed to be integrated into the community.
5. No commercial/retail sales shall be permitted.
6. The community center shall be for the exclusive use and enjoyment of the residents of the development.

Ord 5728, 10/6/04

**CONDOMINIUM (RESIDENTIAL) [P-R, N-S, O, C-D, C-A, C-S] (Limited Area)**

1. The condominium use is limited to the following area:  
The Downtown Las Vegas Redevelopment Area, as established by Ordinance Nos. 3218, 3339, 3637, and 4036.
2. The condominium use shall be developed only in connection with ground-level nonresidential development, and, in the case of a multi-floor structure, shall not itself be permitted on the ground floor, except for access and entryways.
3. Structures associated with the use shall comply with the following design criteria:
  - a. The primary resident/guest entryway to the condominium use shall be independent of ground floor commercial uses, and shall be directly from and oriented to a street.
  - b. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

**CREMATORIUM [C-2, C-M, M]**

1. All operations of a crematory shall be within a completely enclosed building.
2. There shall be no audible or noticeable indication of the use outside of the building.
3. All structures shall be set back 100 feet from any residential use.

**CUSTOM & CRAFT WORK [C-2]**

1. All work shall be performed within an enclosed building.
2. All outside storage shall be screened from view of public streets and adjacent property

**FINANCIAL INSTITUTION, SPECIFIED [C-M, M]**

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.14.090) such as balloons inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
  - a. Cover more than twenty percent (20%) of the area of all exterior windows;
  - b. Include flashing lights or neon lighting; or
  - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting area, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

**FINANCIAL INSTITUTION WITH DRIVE-THROUGH [O, C-D]**

1. Drive-throughs shall not be located on property adjacent to residential uses. Drive-throughs shall be separated from residential properties by an intervening building.
2. Drive-throughs shall not have access to local residential streets.
3. Stacking lanes for drive-through service windows shall accommodate at least six cars per lane, and shall be screened per Section 19.12.040 (C).

**FOOD PROCESSING [C-2]**

1. Food processing shall be permitted in conjunction with retail use.
2. A maximum of 5,000 square feet in floor area shall be permitted.

Ord 5682 4/21/04  
Ord 5561 1/22/03

**GARDEN SUPPLY/PLANT NURSERY [N-S, C-D, C-1, C-2]**

1. Garden tools, supplies and fertilizer may be allowed outside an enclosed building provided all storage is screened from view from any abutting streets.
2. Live plants may be located outside of an enclosed building.

**GENERAL RETAIL STORE, other than listed, less than 3,500 sq. ft. [N-S, C-D]**

1. The sale or dispensing of gasoline or other automotive fuels is not permitted.
2. The sale of alcoholic beverages for off-premise consumption is not permitted.
3. Outdoor storage and sales are prohibited.
4. All loading areas shall be screened from view of adjacent residential properties.

**GROUP RESIDENTIAL CARE FACILITY [U, R-A, R-E, R-D, R-1, R-CL, R-2, R-3, R-4, R-5]**

1. The facility must be located on a parcel with minimum size of 6,500 square feet.
2. Off-street parking shall be provided on the basis of at least one space per six residents, plus an additional space for the administrator.
3. Common area shall be provided on the basis of a minimum of 15 square feet per resident.
4. A facility may not be located closer than 660 feet from another Group Residential Care Facility, measured by means of the shortest distance from property line to property line. The provisions of Section 19.04.040(B) do not apply to this Condition #4. However, a waiver of the distance limitation may be obtained from the City Council, after a recommendation from the Planning Commission, as follows:
  - a. A public hearing must be conducted by both the Planning Commission and City Council, after notice of hearing has been provided as in the case of a Special Use Permit.
  - b. The applicant must demonstrate to the satisfaction of the City Council that approval of the waiver will not have a detrimental impact on surrounding properties.
  - c. Approval of a waiver may be conditioned upon measures designed to ensure compatibility of the use.
5. The facility must comply on an ongoing basis with all governmental licensing requirements.
6. Conditions 1-4 shall not apply to the first Group Residential Care Facility to locate within any particular neighborhood. Such facility shall be treated as a single family dwelling.

**GUEST HOUSE/CASITA [U, R-A, R-E, R-D, R-1]**

1. A guest house/casita shall not:
  - a. Be located on a lot or parcel whose width is less than 80 feet.
  - b. Exceed the height of the principal dwelling.

- c. Consist of more than one occupant room, a bathroom and a walk-in closet. Kitchens are not permitted.
2. A guest house/casita may be attached or detached from the principal dwelling and, where attached, is not required to have internal access to the principal dwelling.
3. A guest house/casita may be located in a front yard if it meets the required setbacks and:
  - a. Is architecturally designed to be integrated into the front elevation of the principal dwelling, so that it incorporates the exterior colors, materials, features and style thereof and does not resemble an accessory structure;
  - b. When viewed from the street, the guest house/casita does not dominate the façade of, nor obstruct the view of the main entrance to, the principal dwelling.
  - c. Is located in relation to the principal dwelling so as to create an internal courtyard;
  - d. Access to the guest house/casita is not visible from the street which the principal dwelling fronts;
  - e. If the guest house/casita is above ground floor and access thereto is by stairwell, the stairwell shall be enclosed, and its access shall not be perpendicular to the street.
4. A guest house/casita may be located in a rear or side yard if it meets the required setbacks and, if detached from the principal dwelling, it shall have a minimum separation of ten (10) feet from the principal dwelling and a minimum setback of five (5) feet from side and rear property lines.

#### **HEALTH CLUB [N-S]**

The structure shall not exceed 5,000 square feet in size.

#### **HORSE CORRAL OR STABLE (COMMERCIAL) [C-1, C-2, C-M, M]**

1. Stables or corrals shall be placed more than 50 feet from any dwelling on an adjacent residential lot and at least 100 feet from the front property line.
2. All structures shall be placed a minimum of five feet from any side or rear property line abutting a residential zoning district.

Ord 5722 9/1/04

#### **HORSE CORRAL OR STABLE (PRIVATE) [U, R-A, R-E, R-D]**

1. Stables or corrals shall be placed at least 50 feet from any dwelling on an adjacent residential lot and at least 100 feet from the front property line.
2. Structures shall be placed at least five feet from any side or rear property line abutting a residential zoning district.
3. Barns and other structures shall conform to the standards for accessory buildings.
4. Except as otherwise provided in Paragraph (5) below, no more than three horses may be stabled for each one-half acre of land included in the building site.
5. In the R-D Zoning District, no more than two horses may be stabled on the building site, and the site must have a minimum net lot size of eighteen thousand square feet.

**HOSPITAL [C-1]**

Hospitals shall be located on a secondary thoroughfare or larger.

**JEWELRY STORE, CLASS III [M]**

1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No Class III Jewelry Store shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

**LIGHT ASSEMBLY & FABRICATION [C-1, C-2]**

1. No outside storage is permitted. [C-1 only]
2. All exterior storage of material shall be in sturdy containers or enclosures which screen storage from surrounding properties and abutting streets. Storage containers for flammable materials shall be constructed of nonflammable material. [C-2 only]
3. All processing, manufacturing, and storage of materials, equipment and products shall be performed in a completely enclosed building.
4. There shall be no audible or noticeable indication of a manufacturing operation outside the building.
5. There shall be no smoke, dust or foreign matter emitted.
6. The bulk manufactured items and raw materials stored shall not exceed four percent of the cubic content of the building. [C-1 only]
7. No more than seven employees shall be engaged in the manufacture, treatment or processing operation. [C-1 only]
8. Only the following operations shall be allowed: [C-1 only]
  - a. Lens grinding
  - b. Jewelry manufacture
  - c. Wholesale medallion sales and assembly
  - d. Wholesale and retail cooking
  - e. Sewing and embroidery shop
  - f. Stained glass assembly
  - g. Drapery manufacture
  - h. Wholesale printing



Ord 5728, 10/6/04

**LIVESTOCK FARMING (BOVINE/HORSES) [U, R-A, R-E]**

1. The minimum allowable parcel size is 1¼ (one and one quarter) acres.
2. A maximum of twenty-five animals (bovines or horses) is allowed per parcel.
3. No more than one bovine or horse is allowed per seven thousand five hundred square feet of lot area.
4. The parcel must also be occupied by a habitable dwelling.
5. Bovines may not be kept at any location south of Cheyenne Avenue.

Ord 5606 6/4/03

**MASSAGE ESTABLISHMENT [M]**

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. The use may not be located within four hundred feet of any church, synagogue, school, city park, child care facility, or any parcel zoned for residential use.
4. The use may not be located within one thousand feet of any other massage establishment.
5. The hours of operation shall be limited to the period between 8:00 a.m. and 9 p.m.

**MINI-WAREHOUSE [C-2, C-M, M]**

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles which shall be completely screened from view from surrounding properties and abutting streets.
3. No business shall be conducted from or within a mini-storage facility.
4. Retail sale of stored items on the premises is prohibited.
5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
6. The operation of spray painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
7. The production, fabrication or assembly of products shall be prohibited.
8. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each 100 storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.
9. Truck and trailer storage shall be screened from the street and adjacent property.

10. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

### **MOTOR VEHICLE SALES (NEW) [C-2, C-M, M (generally)]**

1. Motor vehicle sales may include an outdoor used car sales lot when operated by a franchised, new car dealer. The used car sales shall be located directly adjacent to the new car sales and service facility and be operated as an incidental use.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. All accessory service shall be performed inside an enclosed area.
6. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
7. Accessory automobile rental is permitted.
- \*8. Any motor vehicle sales use to be located north of Cheyenne Avenue must be within the GC-TC land use designation.

### **MOTOR VEHICLE SALES (USED) [C-M, M]**

1. The minimum site area shall be 25,000 square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
6. Accessory automobile rental is permitted.

### **MOUNTED ANTENNA OF 15' OR LESS (ULTIMATE HEIGHT) [U THROUGH R-2]**

Mounted antennas shall not exceed 15 feet in ultimate height and shall not be placed on top of principal or ancillary residential structures.

Ord 5728, 10/6/04

**OPEN AIR VENDING/TRANSIENT SALES LOT [C-1, C-2, C-M, M]**

1. No signage, including temporary signage, is allowed.
2. The site must be kept free of any litter or debris at all times.
3. No structures shall be allowed within the public right of way.

**OUTSIDE STORAGE [C-2, C-M, M]**

1. Storage shall not be permitted within required setbacks or buffer yards.
2. Except as otherwise provided in this Title, storage shall be limited to no more than five percent of the lot area containing the main use. [C-2 and C-M only]
3. Outside storage areas, not screened by an intervening building, shall be screened from view from any public street by a screening device at least eight feet in height. In addition, outside storage areas shall be screened from view of any adjoining property by a screening device at least eight feet in height, except along adjacent property lines zoned C-M or M.

**PARKING, COMMERCIAL [P-R]**

1. The parking facility must be ground-level.
2. The parking facility shall conform with any applicable provisions of Chapter 19.10.
3. A six-foot-high masonry wall shall be installed and maintained along all property lines that adjoin any residential zone.
4. The use of the parking facility shall cease between 9:00 p.m. and 6:00 a.m., including all exterior lighting, except for security lighting.

**PAWN SHOP [M]**

1. The use shall comply with the applicable requirements of Title 6.60 of the Las Vegas Municipal Code.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Ord 5682 4/21/04  
Ord 5561 1/22/03

**PAWN, AUTO [M]**

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.
3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.

5. Window signs shall not:
  - a. Cover more than twenty percent (20%) of the area of all exterior windows;
  - b. Include flashing lights or neon lighting; or
  - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
7. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting area, customer queuing, and transaction space (such as "teller" windows or desks).
8. No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (8), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Ord 5737 12/15/04

**PET BOARDING [C-M, M]**

1. All animals shall be confined within an enclosed area or on a leash at all times.
2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.
3. Pens shall be screened from view from adjacent streets and adjoining properties.
4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of fifty feet from the parcel.
5. All operations and activities shall be in accordance with LVMC Title 7.

**PET SHOP [C-1, C-2, C-M, M]**

1. All animals shall be confined within an enclosed building at all times.
2. The building shall be designed to provide complete sound barriers and odor protection for the adjacent property.

Ord 5685 4/21/04  
Ord 5735 12/1/04**PRIVATE STREETS (ALL RESIDENTIAL DISTRICTS)**

1. **Eligibility as Conditional Use.** Private streets are permitted pursuant to the following provisions only if:
  - a. The streets are public streets within an existing subdivision that are proposed to be converted to private streets, and
  - b. All the lots within the subdivision conform to the minimum lot size requirements of Title 19.
2. **Design and Construction Standards.** Unless otherwise approved by the City Council or otherwise provided by means of a specific regulation governing private streets, every private street shall conform to the same standards that govern the design and construction of public streets.

3. **Access Restrictions.** The entrances to all private streets must be marked with a sign stating that it is a private street. Guard houses, access control gates and cross arms may be constructed. All restricted access entrances shall be manned twenty-four hours every day or provide an alternative means of ensuring access to the subdivision by the City and other emergency and utility service providers with appropriate identification. If the association fails to maintain reliable access as required to provide City services, the City may enter the subdivision and remove any gate or device which is a barrier to access at the sole expense of the association. The association documents shall contain provisions in conformity with this paragraph which may not be amended without the written consent of the City.
4. **Access Restricted Entrance Design Standards.** Any private street which has access control gates or cross arms must be of a break-away design. A turn-around space must be located in front of any restricted access entrance to allow vehicles denied access to safely exit onto public streets. Any guardhouse, or other entry feature designed as a drive-through, must have a minimum clearance of fourteen feet in height above the road surface.
5. **Streets Excluded.** Streets shown on the Master Plan of Streets and Highways shall not be used, maintained, or constructed as private streets. Also, the Department may deny the creation of any other private street if it is determined that the private street would have any of the following effects:
  - a. Negatively affect traffic circulation on public streets,
  - b. Impair access to property either on-site or off-site to the subdivision;
  - c. Impair access to or from public facilities including schools, parks and libraries; or
  - d. Delay the response time of emergency vehicles.
6. **Property Owner's Association Required.** Subdivision developed with private streets must have a mandatory property owners' association which includes all property served by private streets. The association shall own and be responsible for the maintenance of private streets and appurtenances. The association documents must establish a reserve fund for the maintenance of streets and other improvements. Such documents are subject to review and approval by the City to ensure that adequate provision for maintenance has been made.
7. **Private Street Requirements.** Private streets must be located on property that is separately owned by a property owner's association or is subject to perpetual access easements running in favor of the owners of lots within the subdivision. Private streets must include provisions for appropriate easements to be granted to the City and to other utility providers allowing necessary use and access for utilities and the maintenance thereof. The easements must also provide the City and protective service providers with the same right of access they would have if the streets were public streets.
8. **Waiver of Services.** The subdivision final map, property deeds and property owners association documents shall note that certain City services shall not be provided on private streets. Among the services which will not be provided are: routine police patrols, enforcement of traffic and parking ordinances, preparation of accident reports and other services which may not be reasonably or properly available within a particular development. All private regulatory signs shall conform to State of Nevada regulations.
9. **Special Use Permit.** In cases where a Special Use Permit is required to allow private streets that do not conform to the provisions of Paragraphs (1) through (5) above, the provisions of Paragraphs (1) through (8) above are minimum standards that shall presumptively apply to a Special Use Permit for this use. The prohibitions and requirements in Paragraph (5) through (8) are not waivable in connection with a Special Use Permit approval.

Ord 5735 12/1/04

Ord 5728, 10/6/04

**PUBLIC OR PRIVATE SCHOOL, PRIMARY [ALL RESIDENTIAL DISTRICTS, P-R, N-S, C-PB, C-M, M]**

Adequate pick-up and drop-off areas shall be provided on-site.

**PUBLIC OR PRIVATE SCHOOL, SECONDARY [R-2 THROUGH R-MHP, P-R, N-S]**

Schools shall be located on a collector street or larger.

Ord 5498 8/7/02

**RECREATIONAL VEHICLE AND BOAT STORAGE [C-2, C-M, M]**

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas.
2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height, except along the property line of any adjoining property that is zoned C-M or M.
3. The commercial repair of recreational vehicles, boats, trailers and other like vehicles is prohibited.

**RECYCLING COLLECTION CENTER [C-M, M]**

1. A collection center, located in a parking lot, may not occupy required off-street parking spaces.
2. A collection center shall be sited as to not impede traffic flow.
3. The owner of the property and the owner of and operator of the collection center shall:
  - a. Remove products stored at the collection center at least once a week;
  - b. Keep the collection center in proper repair and maintain a neat and clean appearance on the exterior of the center; and
  - c. Keep the building site clean and in a neat appearance and shall dispose of cans and other litter from the building site where the collection center is located.

**SALVAGE OR RECLAMATION OF PRODUCTS (OUTDOORS) [M]**

1. The minimum site area shall be 25,000 square feet.
2. All areas used for the parking and storage of operable vehicles shall be paved.
3. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
4. In addition to the requirements in Chapter 19.12.060, mature evergreen trees shall be installed along the perimeter property lines to screen the vehicle parts storage area from surrounding properties.
5. Perimeter walls, a minimum of eight feet in height, shall be installed along all property lines.

6. Repair activities and vehicle loading and unloading shall be prohibited on adjoining streets and alleys.
7. Service bays with access from the exterior of the structure shall not face the public rights-of-way.
8. All on-site lighting shall be stationary and directed away from adjoining properties. All lighting shall be shielded, hooded or otherwise designed so that direct glare and reflections are contained within the boundaries of the parcel. No light shall extend into any residential zoning district.
9. All repair activities and operations shall be conducted entirely within an enclosed structure. Outdoor hoists shall be prohibited.
10. Repair facilities shall close all windows and doors when performing body and fender work, hammering, sanding or other noise-generating activities.
11. All hazardous materials resulting from the repair, storage, or dismantling operation shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable federal, state, and local regulations.

Ord 5728, 10/6/04

**SECONDHAND DEALER [C-M, M]**

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Ord 5638 11/19/03

**SENIOR CITIZEN APARTMENTS [R-3, R-4, R-5]**

For any development that is over three stories in height:

1. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.
2. Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.

**SERVICE STATION [C-M, M]**

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
  - a. The dispensing of petroleum products, water and air from pump islands.
  - b. The provision of emergency service of a minor nature.
  - c. The sale of items via vending machines which shall be located next to the main structure.

2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
6. The installation of LPG tanks shall only be permitted as allowed in Section 19.04.060 (B).

### **SEXUALLY-ORIENTED BUSINESSES [C-M, M]**

#### **1. Definitions As used in this Title:**

##### **a. "Specified anatomical areas" means:**

- 1) Less than completely and opaquely covered:
  - a) Human genitals,
  - b) Pubic region,
  - c) Buttocks, or
  - d) Female breast below a point immediately above the top of the areola.
- 2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

##### **b. "Specified sexual activities" means:**

- 1) The fondling or other touching of human genitals, pubic region, buttocks or female breasts;
- 2) Ultimate sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
- 3) Masturbation; or
- 4) Excretory functions as part of or in connection with any of the activities set forth in subparagraphs (1), (2) and (3) above.

##### **c. "Sexual novelty" means any instrument, device, apparatus or paraphernalia that:**

- 1) Depicts a specified anatomical area;
- 2) Performs, mimics, demonstrates or is designed for use in connection with a specified sexual activity; or
- 3) Is used for the stimulation of human genitals, whether the stimulation is self-induced or performed upon another person.



## 2. Definitions - Sexually Oriented Business

For purposes of this Title, the following are “sexually oriented businesses” and are respectively defined as follows:

- a. “Adult emporium” means an establishment which engages in the sale, rental or trade of books, films, videotapes, sexual novelties, discs, magazines and other periodicals and which:
  - 1) Will or does derive thirty-five percent or more of its gross revenue from the sale, rental or trade of sexual novelties or books, films, videotapes, discs, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specific sexual activities or specific anatomical areas;
  - 2) At any particular time devotes thirty-five percent or more of its inventory floor and wall space to the types of inventory described in subparagraph (1) above;
  - 3) At any particular time has, as thirty-five percent or more of its total inventory or any category thereof, the types of inventory described in subparagraph (1) above; or
  - 4) Holds itself out, by advertising or otherwise, primarily as an outlet for the types of inventory described in subparagraph (1) above.
- b. “Adult mini-motion picture theater” means an enclosed building with a capacity of less than 50 persons used for presenting material distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
- c. “Adult motel” means a motel wherein material is presented, as part of the motel services, via closed circuit television or otherwise, which is distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
- d. “Adult motion picture arcade” means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion pictures, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
- e. “Adult motion picture theater” means an enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
- f. “Adult paper rack” means each self-operated device or container, except those located in an adult emporium, which is primarily used for the distribution of magazines, papers or periodicals which are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas or the advertisement of other sexually oriented businesses.

- g. "Massage parlor" means any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as part of or in connection with specified sexual activities or where any person providing such treatment, manipulation or services related thereto exposes specified anatomical areas.
- h. "Model studio" means any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity.
- i. "Nude-show" means any establishment which provides and permits the viewing of live performances of specified sexual activities or the display of specified anatomical areas upon its premises as entertainment or any attraction for business. The term does not include the display of specified anatomical areas in the showroom of a resort hotel and casino with over 300 rooms which is subject to the casino entertainment tax described in NRS 463.401 and which is located within the Downtown Casino Overlay District. For purposes of the preceding sentence, a showroom must contain a minimum of 300 seats. Any nude show which takes place at an establishment which is licensed or is required to be licensed to sell alcoholic beverages is subject to LVMC 6.50.430.
- j. "Sexual encounter center" means any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to engage in personal contact with or to allow personal contact by, employees, devices or equipment or by personnel provided by the establishment which appeals to the prurient interest of the patron, to include, but not limited to, bathhouses, massage parlors and related or similar activities.

### **3. Prohibited Where - Establishment**

- a. No person shall cause or permit the establishment of any sexually oriented business in an area zoned other than C-M or M. In addition, no person shall cause or permit the establishment of any sexually oriented business within 1000 feet of any other sexually oriented business, church, public or private school, day care, teen dance center, park or playground. The distance shall be the shortest distance between two property lines, one being the property line of the proposed sexually oriented business which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed sexually oriented business. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this subsection, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.
- b. The "establishment" of a sexually oriented business includes the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area or the conversion of an existing business location to any sexually oriented business.
- c. Any person establishing a sexually oriented business must first file with the Department of Finance and Business Services the name and address of the business and the type of sexually oriented business to be conducted.

**4. Existing as of September 16, 1992**

Any business existing as of September 16, 1992, that is made non-conforming by the provisions of Ordinance 3674 shall be permitted to remain in operation provided, however, that:

- a. No such business may be increased, enlarged, extended or altered, except to change the use to a conforming use; and
- b. If any such business is terminated or is abandoned for a period of at least 30 days, any future use of the property shall conform to the provisions of Ordinance 3674.

Ord 5504 8/21/02

**5. Certain Nonconforming Uses**

The provisions of Paragraphs (3) and (4) above and the provisions of Chapter 19.16 shall apply to sexually oriented businesses; provided, however, that any existing sexually oriented business located in the M Zoning District that was made nonconforming as to a separation requirement by either of the following circumstances shall be deemed a conforming use for purposes of expansion, enlargement or alteration:

- a. The adoption of a different method of measuring distance; or
- b. The intervening establishment within the required separation area of either a protected use or another sexually oriented business.

Any such business shall continue to be subject to the provisions regarding discontinuation and removal that are set forth in Sections 19.16.030(A)(3) and 19.16.040, respectively.

**6. Other Prohibitions Unimpaired**

Nothing in this Title pertaining to sexually oriented businesses is intended to make legal any business or activity that is expressly declared illegal under any other provisions of the Municipal Code or under any State or Federal laws.

7. The Special Use Permit provisions of Section 19.04.040(B) do not apply to a sexually oriented business.

Ord 5688 4/21/04

**SWAP MEET [C-M, M]**

1. No outdoor display, sales or storage of any merchandise or equipment is permitted, except in connection with temporary activities that have been authorized by means of a Temporary Commercial Permit.
2. No repair, installation or service work is permitted outside of an enclosed building.
3. All signage, including any temporary signage, shall comply with LVMC Chapter 19.14.
4. The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

**TEEN DANCE CENTER [C-1, C-2, C-M, M]**

1. The establishment must be located more than 1,000 feet from any sexually oriented business. The distance shall be the shortest distance between the property line of the proposed teen dance center which is closest to the existing sexually oriented business, and the other being the property line of the sexually oriented business which is closest to the proposed teen dance center. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this subsection, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.
2. The hours of operation shall be limited to the period between 6:00 pm and midnight.
3. The floor area shall not exceed 5,000 square feet.

Ord 5663 1/21/04

**TEMPORARY REAL ESTATE SALES OFFICE**

1. Within any residential district:
  - a. The use may be located within a model home or trailer;
  - b. The sales activity shall be limited to lots within the subdivision in which the model home or trailer is located; and
  - c. The use shall not be permitted to operate until the requirements of LVMC 18.28.010 have been met, including the approval of a final subdivision map.
2. Within any commercial or industrial district:
  - a. The use may be located within a trailer or an existing commercial structure; and
  - b. The use shall not be permitted to operate and is not entitled to a certificate of occupancy until a Site Development Plan has been approved for the development to which the sales pertains.
3. If the temporary real estate sales office is a model home or is conducted from a commercial structure, the use shall expire two years from the date of building permit approval or whenever sales are completed, whichever occurs first. If the temporary real estate sales office is a trailer, the use shall expire six months from the date of approval by the Department of Building and Safety.
4. Upon termination of the use, all temporary access improvements from this site to the abutting street(s) shall be removed and replaced with permanent access improvements that meet all City standards, as required by the Department of Public Works.
5. Pursuant to LVMC 18.12.310, direct vehicular access from primary and secondary street(s) through the back of bordering lots is prohibited unless approval is granted by the Director of Planning and Development.
6. All development must be in conformance with the submitted plot plan and floor plan.
7. Any signage for this use must first be approved in writing by the Planning and Development Department.

8. A minimum of five paved on-site parking spaces shall be provided, and the spaces provided shall be in compliance with ADA parking requirements and LVMC Chapter 19.10. In any commercial or industrial district, the Director may waive one or more of the required on-site spaces if an equivalent number of on-street parking spaces is available on a street that directly abuts the lot on which the use is located.

Ord 5728, 10/6/04

**THRIFTSHOP [C-M, M]**

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

**THRIFTSHOP, NON-PROFIT [M]**

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

Ord 5728, 10/6/04

**TIME-SHARE DEVELOPMENT [C-2]**

1. No individual time-share unit may serve as a person's primary residence.
2. No access to any accessory use (gift shop, restaurant, beauty shop, etc.) shall be permitted other than from within a time-share development.
3. No exterior advertising or lighting is permitted in excess of that allowed for residential developments.

**TOWING & IMPOUND YARD [C-M, M]**

1. All areas used for the parking and storage of operable vehicles shall be paved.
2. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.

**TRADE SCHOOL [O]**

1. Welding shall be prohibited.
2. Working on vehicles shall be prohibited.

**UTILITY LINES & TRANSMISSION [ALL DISTRICTS]**

The location of routes for lines which are 15,000 volts or above must first be approved by the Planning Commission.

Ord 5619 8/6/03

**VALET PARKING [N-S, O, C-D, C-1, C-2, C-M, M]**

1. A maximum of 20% of the number of the parking spaces required by Section 19.10.010 may be used for valet parking.
2. The applicant must submit to the Department, for administrative review and approval, a site development plan showing where valet spaces will be located and demonstrating that the area and methodology for valet parking will be physically designed to prevent queuing in the right-of-way.
3. The applicant must provide written assurance that the valet parking will be operated to conform with the hours of operation that are proposed and approved for the use.

**WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN  
[ALL DISTRICTS]**

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:
  - a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.
  - b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is no subject to appeal.
2. The facility must qualify as one or more of the following:
  - a. An Antenna that is to be co-located on an existing antenna tower or other existing structure.
  - b. An antenna tower that is to be located on property in the C-V Zoning District.
  - c. An Antenna tower that is to be located:
    - 1) On property in the C-M or M Zoning District; and
    - 2) A minimum distance of 600 feet from residentially-zoned property.
  - d. An antenna tower that is proposed to be located on property developed with a utility substation, and is to be located within that substation.
  - e. A slim-line design pole wireless communication facility.

3. Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.
4. The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.
5. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards, as certified by a competent professional (such as a radio frequency engineer).

#### **WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN [ALL DISTRICTS]**

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:
  - a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.
  - b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is no subject to appeal.
2. No residential use may exist on the property.
3. The design must conform to the definition of the term "Wireless Communication Facility, Stealth Design," as set forth in Section 19.20.020 and as determined by the Director.
4. Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.
5. The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.
6. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards, as certified by a competent professional (such as a radio frequency engineer).

Ord 5685 4/21/04

**19.04.050 SPECIAL USE PERMITS****A. General**

1. The uses in this Subchapter require a Special Use Permit and have base requirements, which shall be met prior to approval of the Special Use Permit. In the Land Use Tables, these uses may be indicated by an "S" and by an asterisk (\*) placed by the name of the use.
2. The following conditions are the minimum conditions for approval for a Special Use Permit. Additional conditions may also be required during the public hearing process to ensure compatibility of that use in relation to surrounding uses and the pattern of development.
3. Special Use Permits which do not have minimum requirements listed in the following section may have conditions placed on the proposed use during the public hearing process.
4. The following requirements are minimum standards that must be satisfied unless it can be shown by convincing and substantial evidence by the applicant that any waiver of these requirements will not compromise the objective of the City in safeguarding the interests of the citizens of the City. However, it shall not be permissible to waive any of the requirements below that are indicated by an asterisk (\*).
5. The following uses, with minimum Special Use Permit requirements, are listed below alphabetically.

Ord 5728 9/1/04

**B. Minimum Requirements****ANIMAL HOSPITAL, CLINIC, OR SHELTER WITHOUT OUTSIDE PENS  
[O, C-D, C-1]**

1. The use shall have access to a collector street or larger.
2. Animals shall be confined within an enclosed building at all times.
3. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.
4. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.
5. Noise levels must comply with the applicable provisions of LVMC Title 7.
6. No more than 25% of the floor area may be used for the boarding of animals.



**AUTO DEALER INVENTORY STORAGE [P-R, C-1, C-2, C-PB, C-M, M]**

1. All areas used for the parking or storage of vehicles shall be paved.
2. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
3. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and accessed through a parcel located on a primary or secondary thoroughfare.
4. Lighting shall be shielded from adjacent properties.
5. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50 percent of parking area that is provided in excess of required parking for other uses. For purposes of this Paragraph, the amount of required parking shall be calculated in accordance with the current standards set forth in Chapter 19.10.

Ord 5728, 10/6/04

**AUTOMOBILE RENTAL [C-1]**

1. The minimum site area shall be twenty five thousand square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Service bays for repairs, installations, cleaning or gas dispensing services facing a public street or a residential zoning district shall be screened to a height of at least eight feet.

Ord 5505 9/4/02

**AUTO REPAIR GARAGE, MAJOR [C-2]**

1. All repair and service work shall be performed within a completely enclosed building. All windows and doors shall be completely closed when body and fender work, hammering, sanding or other noise-generating activities are being performed.
2. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
3. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. All disabled or wrecked vehicles shall be stored in an area that is screened from view from the surrounding properties and adjoining streets.
5. Outdoor hoists are prohibited.
6. All hazardous materials resulting from the repair, storage, or dismantling of vehicles shall be properly stored and removed from the premises in a timely manner. Storage, use and removal

of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable federal, state, and local regulations.

7. No vehicle may be parked on the premises for the purposes of offering the vehicle for sale.
8. Outdoor bells and loudspeakers are prohibited.

Ord 5682 4/21/04

#### **AUTO TITLE LOAN [O, C-D, C-1, C-2]**

- \*1. The use shall comply with all applicable requirements of LVMC Title 6.
- \*2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
  - a. Cover more than twenty percent (20%) of the area of all exterior windows;
  - b. Include flashing lights or neon lighting; or
  - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

#### **BED & BREAKFAST INN [U THROUGH R-5; P-R, N-S]**

1. The establishment must have a minimum of two and a maximum of five guest bedrooms.
2. Off-street parking shall be provided with a minimum of one parking space per guest bedroom and two parking spaces for the owner or operator. The required off-street parking for guest bedrooms shall be screened by a six foot fence or by dense landscaping.
3. Access to the parcel on which the establishment is located must be by means of a paved street with a right-of-way width of at least fifty feet.
4. Cooking facilities for guest rooms are not permitted.

5. The Department of Fire and Rescue must inspect and approve the occupancy of an establishment before it may be used as a bed and breakfast inn.
6. Individual guest occupancy is limited to no more than one month in any three month period.
7. No sale or display of merchandise or other commodities may occur in connection with the establishment.
8. Private functions such as weddings, receptions, luncheons, parties and similar activities are not permitted, except to the extent such activities represent personal activities of the owner/resident.
9. Not more than one on-premise sign shall be permitted. With respect to that sign:
  - a. The copy may contain only the name and address of the establishment.
  - b. The sign may not exceed three square feet in size or four feet in height.
  - c. The sign may be freestanding or may be located on the dwelling itself or on a fence or wall.
  - d. Any sign illumination must be exterior to the sign and must be shielded so as not to produce glare upon an adjacent property or a public right-of-way.
  - e. The design materials and colors of the sign must be compatible with the architectural style of the dwelling.

Ord 5499 8/7/02

**CAR WASH (SELF-SERVICE) [C-1]**

1. The hours of operation shall be limited to the period between 7:00 A.M. and 10:00 P.M.
2. Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
4. No retail sale of vehicles is allowed.
5. No repair or servicing of vehicles is allowed.
6. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.
7. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
8. Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use.
9. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.
10. An attendant must be on the premises during all times the equipment is operational.

**CHILD CARE – GROUP HOME (7-12 CHILDREN) [U,R-A, R-E, R-D, R-1, R-CL, R-2, R-3, R-4, R-5, R-MH]**

- \*1. The minimum lot size shall be 6,500 square feet.
2. Access to the facility shall be by means of a right-of-way with a width of 60 feet or less.
- \*3. The site shall be designed so that all loading and unloading of passengers occurs on-site.
4. The use of outdoor play areas shall be limited to the hours between 6:00 A.M. and 10:00 P.M..
5. All lighting shall be designed so it does not shine directly onto any abutting residential property.
6. In order for this use to be conducted on a parcel developed with multi-family housing, the child care must be provided within a separate structure.
7. The use shall be subject to the child care regulations and standards of the Department of Finance and Business Services.

**CHURCH/HOUSE OF WORSHIP [ALL RESIDENTIAL DISTRICTS]**

1. The Special Use Permit may include such activities as religious services, religious instruction, church club activities and similar activities.
2. Functions, such as child care facilities, formal educational programs, preschool classes and similar related activities which, in the opinion of the Director of the Department of Planning and Development, are ancillary to the primary use are also permitted provided, however, that all proposed uses shall be specifically stated in the application.
3. If, after approval of the Special Use Permit, additional uses not specifically covered by the existing Special Use Permit are proposed, an additional public hearing process shall be required to add the uses.
- \*4. Thrift shops, homeless shelters and other similar activities are prohibited in residential districts and are permitted only in the zoning districts which permit such uses as primary uses.
- \*5. Churches on sites larger than five acres shall not be permitted in the U District or an R-prefixed district.

**CLEANERS, COMMERCIAL / INDUSTRIAL [C-2]**

1. The plant operation shall be within a fully enclosed building.
2. The use shall be at least 50 feet from any property which is zoned P-R, N-S, O, C-D, C- 1, or zoned for any residential use. The distance requirement with respect to a nearby commercially-zoned property may be waived if the applicant demonstrates that the use is compatible with the area.

**CONVALESCENT CARE FACILITY/NURSING HOME [U THROUGH R-2]**

1. The minimum parcel size required shall be 20,000 square feet.
2. The maximum number of beds per acre of land shall be 25.
3. Setbacks for buildings shall be the same as required for a single family dwelling in the zoning district where located.
4. The maximum building height of a convalescent care facility shall be two stories.
5. Care facilities shall be located on a collector street or larger.

**CONVALESCENT CARE FACILITY/NURSING HOME [R-3, R-4, R-5]**

1. The minimum parcel size required shall be 10,000 feet.
2. The maximum number of beds per acre of land shall be 50.
3. Care facilities shall be located on a collector street or larger.
4. Building setbacks and height are as follows:
  - a. A one-story structure shall be setback a minimum of 25 feet from all property lines.
  - b. A two-story structure shall be setback a minimum of 35 feet from all property lines.

**DAILY LABOR SERVICE [C-1, C-2, C-M,M]**

- \*1. The use must be located on a primary or secondary thoroughfare.
2. The use shall not be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, City park, or residential zoning district.
- \*3. The hours of operation shall be limited to the hours between sunrise and sunset.
- \*4. Signage must be posted on the premises indicating that loitering on the premises is not allowed. The signage may not exceed four square feet in size.
- \*5 Persons who are seeking employment must wait for employment within a fully-enclosed structure or an area screened from public view.

**DRY CLEANERS [O, C-D, C-PB]**

1. The operation shall be within a fully enclosed building.

**ESCORT BUREAU [C-1, C-2]**

1. The business must be located at least 500 feet from any residentially-zoned property and 1500 feet from any church, school, child care facility or park, measured in each case from property line to property line without regard to intervening obstacles.

2. No escorts or escort runners shall be physically dispatched from the property.
3. No business may be transacted with patrons on the property.
4. Except as may otherwise be required by ordinance or by the Director, there shall be no on-site signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the business.

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**FINANCIAL INSTITUTION, SPECIFIED [O, C-D, C-1, C-2]**

- \*1. The use shall comply with all applicable requirements of LVMC Title 6.
- \*2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.14.090) such as balloons inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
  - a. Cover more than twenty percent (20%) of the area of all exterior windows;
  - b. Include flashing lights or neon lighting; or
  - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting area, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

**FRATERNITY, SORORITY HOUSE OR PRIVATE DORM [R-3, R-4, R-5]**

The minimum lot area shall be 6,000 square feet for the first five occupants of the building's designed occupancy and 900 square feet for each additional residential occupant.

**GAMING ESTABLISHMENT, NONRESTRICTED [C-1, C-2, C-M, M]**

\*1. Except as otherwise exempted by State law, non-restricted gaming establishments must be located within the Gaming Enterprise Overlay District described in Subchapter 19.06.070.

\*2. A Special Use Permit is required for:

- a. Any new non-restricted gaming establishment.
- b. Any increase in the amount, variety or magnitude of gaming to be offered within an existing non-restricted gaming establishment whether or not the existing gaming was approved by means of a Special Use Permit.

\*3. The Special Use Permit requirement in Paragraph 2 above:

- a. Applies to all property in the City, wherever located and whether or not it is located in the Gaming Enterprise Overlay District;
- b. Applies to existing non-restricted gaming establishments whether or not they have applied for an increase in the amount, variety or magnitude of gaming to be offered;
- c. Applies to any property or establishment irrespective of any rights or purported rights established by prior adjudication, to the extent such rights have not become vested by the exercise thereof; and
- d. Supersedes and prevails over every other provision of the Municipal Code to the contrary, or that might be deemed to be interpreted to the contrary.

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**HALFWAY HOUSE [R-3, R-4, R-5, C-2, C-M]**

\*Shall be spaced a minimum of 1,500 feet from each other.

**HELIPAD [C-1, C-2]**

1. The heliport shall be permitted only as an accessory use to a hospital, medical facility or medical office.
2. The heliport shall designate a flight path which does not fly over adjacent residential areas.

**HOTEL LOUNGE BAR [C-2, C-PB, C-M]**

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

1. No hotel lounge bar business use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

2. Except as otherwise provided in Paragraph 3 below, the minimum distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed hotel lounge bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed hotel lounge bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
  - a. Any leasehold parcel; or
  - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
3. In the case of a proposed hotel lounge bar located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line from the nearest property line of the existing use to the nearest portion of the structure in which the hotel lounge bar will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a hotel lounge bar which also requires a waiver of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirement in Paragraph 1 does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.
- \*6. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

### **JEWELRY STORE, CLASS III [C-1, C-2, C-M]**

- \*1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
- \*2. No outdoor display, sales or storage of any merchandise shall be permitted.
- \*3. No Class III Jewelry Store shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

### **LIQUOR ESTABLISHMENT (ON-SALE/OFF-SALE/ON-OFF-SALE) [C-1, C-2, C-M, M]**

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

- \*1. Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of

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Ord 5463 4/3/02  
Ord 5516 9/18/02



any church, synagogue, school, child care facility licensed for more than twelve children, or City park.

- \*2. Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
- a. Any leasehold parcel; or
  - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.
- \*3. In the case of a liquor establishment proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
- a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or
  - b. In the case of a proposed liquor establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a liquor establishment which also requires a waiver of the distance limitation in Subsection 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirements in Subsection 1 do not apply to:
- a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
  - b. A proposed retail establishment having more than 50,000 square feet or retail floor space.
- \*6. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
7. The minimum distance requirements set forth in Subsection 1, which are otherwise non-waivable under the provisions of this subdivision, may be waived:
- a. In accordance with the provisions of Subsection 19.040.050(A)(4) for any liquor establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

- b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any liquor establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or
- c. In connection with a proposed retail establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or
- d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

### **LIQUOR ESTABLISHMENT (TAVERN) [C-1 THROUGH M]**

- (1) Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within fifteen hundred feet of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than twelve children, or City park.
- (2) The distance separation referred to in Paragraph (1) shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.
- (3) For the purpose of Paragraph (2), and for that purpose only:
  - (a) The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
  - (b) The "property line" of a liquor establishment (tavern) refers to:
    - (i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
    - (ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
      - (A) Using the property line of that parcel for the purpose of measuring the distance separation referred to in Paragraph (1) would qualify the parcel under the distance separation requirement;

- (B) The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of one hundred feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;
  - (C) All parking spaces required by LVMC Chapter 19.10 for the liquor establishment (tavern) use will be located on the same parcel as the use; and
  - (D) The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the liquor establishment (tavern) will be located, execute and record an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.
- (4) The distance separation requirement set forth in Paragraph (1) does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992.
- Bill 2005-14  
4/20/05
- (5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance with the provisions of Subsection 19.04.050(A)(4), but only in connection with a proposed liquor establishment (tavern) that:
- (a) Will be located on a parcel within the C-V District or the Downtown Casino Overlay District;
  - (b) Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as historic property, historic building, or landmark; or
  - (c) Will be located within a regional mall; or
  - (d) Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.
- (6) The use shall conform to the provisions of LVMC Chapter 6.50.

### **LPG (LIQUEFIED PETROLEUM GAS) INSTALLATION OVER 288 GALLONS [C-1, C-2, C-PB, C-M, M]**

1. An LPG installation which includes tanks with an aggregate water capacity of 288 gallons or less is permitted as of right in a zoning district. Such use will be subject to the requirements applicable to the district if the installation complies with the provisions of NRS 590.465 et seq. and these regulations.
- \*2. An LPG installation which includes tanks with an aggregate water capacity of more than 288 gallons shall be excluded in any U zoning district or any zoning district with an "R" prefix.

- \*3. An LPG installation which includes tanks with an aggregate water capacity of more than 288 gallons is not permitted as of right in any zoning district and is allowed with the approval of a Special Use Permit in the C-1, C-2, C-PB, C-V, C-M and M Zoning districts.
- 4. The aggregate capacity provisions of this section shall not apply to mobile parks or similar multiple-unit installations whose units are served by individual tanks if:
  - a. The tanks are not interconnected; and
  - b. Each individual tank has a water capacity of less than 125 gallons.
- 5. Any LPG installation which is made non-conforming by these specific standards is subject to the expansion and discontinuance provisions set forth in Chapter 19.16.

Ord 5606 6/4/03

**MESSAGE ESTABLISHMENT [C-1, C-2, C-PB, C-M]**

- 1. The use shall comply with all applicable requirements of LVMC Title 6.
- 2. The use must be located on a secondary thoroughfare or larger.
- 3. The use may not be located within four hundred feet of any church, synagogue, school, city park, child care facility, or any parcel zoned for residential use.
- 4. The use may not be located within one thousand feet of any other massage establishment.
- 5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m., unless further limited by the City Council on a case-by-case basis.

Ord 5589 4/16/03

**MINI-WAREHOUSE [N-S, C-1]**

- 1. No more than one manager's security residence shall be permitted.
- 2. All storage shall be within an enclosed building except for the storage of recreational vehicles which shall be completely screened from view from surrounding properties and abutting streets.
- 3. No business shall be conducted from or within a mini-storage facility.
- 4. Retail sale of stored items on the premises is prohibited.
- 5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
- 6. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
- 7. The production, fabrication or assembly of products shall be prohibited.
- 8. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each one hundred storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.

9. Truck and trailer storage shall be screened from the street and adjacent property.
10. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

### **MIXED-USE [R-3, R-4, P-R, N-S, O C-1 and C-2 and C-PB]**

Ord 5738 12/15/04  
Ord 5662 1/21/04  
Ord 5562 2/5/03

- \*1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of Special Use Permit within a PR, N-S, O, C-1, C-2, or C-PB Zoning District.
- \*2. Nonresidential uses permitted as of right in the P-R, N-S, O, and C-1 Zoning Districts may be permitted by means of Special Use Permit within an R-3 or R-4 Zoning District.
3. When residential and non-residential uses are approved for a single parcel:
  - (a) The nonresidential use shall be located at ground level fronting the primary public right-of-way, and the primary entryway to that use shall be directly from and oriented to a street; and
  - (b) The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

Ord 5478 5/1/02

### **MONORAIL [ALL DISTRICTS]**

1. A Special Use Permit may be approved only in conjunction with the approval of necessary licensing for the monorail and the approval of an agreement to authorize the operation of the monorail system within the City.
2. Conditions may be imposed upon associated passenger terminals, power propulsion systems, parking lots, maintenance facilities and other accessory land and buildings that are referred to in the application.
3. Accessory commercial uses may be permitted in conjunction with the system if they are specified in the application.
4. Structures shall be designed to be architecturally compatible with existing buildings and structures in the vicinity of the system. Structures associated with the system may be permitted at heights greater than otherwise permitted by this Title if the heights are specified in the application.
5. Site development standards otherwise applicable, such as yard setbacks, building separation or location requirements, may be reduced or eliminated in connection with the approval of a Special Use Permit.
6. Ground level equipment, power propulsion systems and maintenance facilities shall be screened from streets and residential development with a decorative block wall not to exceed 10 feet in height; landscaping sufficient to screen the equipment, systems and facilities; or a combination thereof, as required in connection with the approval of a Special Use Permit. If the height of the block wall exceeds 6 feet, a notarized letter of approval must be obtained from the owner of any adjacent property that is developed.

7. Advertising signs are permitted only in accordance with the applicable requirements of this Title or as permitted in an agreement with the City to authorize the operation of the monorail system.
8. Approval of a Special Use Permit shall not be deemed to give the monorail system the right to use property of any person without that person's consent or to compel the City to use its power of eminent domain to acquire property for the system.

Ord 5552 12/4/02

**MOTORCYCLE/MOTOR SCOOTER SALES [C-1]**

1. All display and sales shall take place in an enclosed building.
2. The minimum gross floor area of the building shall be 7,000 square feet.

**OUTCALL ENTERTAINMENT REFERRAL SERVICE [C-1, C-2]**

1. The business must be located at least 500 feet from any residentially-zoned property and 1500 feet from any church, school, child care facility or park, measured in each case from property line to property line without regard to intervening obstacles.
2. No outcall entertainers shall be physically dispatched from the property.
3. No business may be transacted with patrons on the property.
4. Except as may otherwise be required by ordinance or by the Director, there shall be no on-site signage or other advertising of any kind, whether on the property or elsewhere, which advertised the address or physical location of the business.

Ord 5682 4/21/04

**PAWN, AUTO [C-M]**

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.
3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.
5. Window signs shall not:
  - a. Cover more than twenty percent (20%) of the area of all exterior windows;
  - b. Include flashing lights or neon lighting; or
  - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

7. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting area, customer queuing, and transaction space (such as "teller" windows or desks).
8. No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (8), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

### **PAWN SHOP [C-1, C-2, C-M]**

- \*1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
- \*2. No outdoor display, sales or storage of any merchandise shall be permitted.
- \*3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Ord 5737 12/15/04

### **PET BOARDING [C-1, C-2]**

1. All animals shall be confined within an enclosed area or on a leash at all times.
2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.
3. Pens shall be screened from view from adjacent streets and adjoining properties.
4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of fifty feet from the parcel.
5. All operations and activities shall be in accordance with LVMC Title 7.

Ord 5589 4/16/03  
Ord 5498 8/7/02

### **RECREATIONAL VEHICLE AND BOAT STORAGE [N-S, C-1]**

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas. Within the N-S District, no such storage is permitted within fifty feet of property zoned for residential use.
2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height, except along the property line of any adjoining property that is zoned C-M or M.
3. The commercial repair of recreational vehicles, boats, trailers and other like vehicles is prohibited.

**RESTAURANT SERVICE BAR [N-S THROUGH M]**

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

1. No restaurant service bar business use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.
2. Except as otherwise provided in Paragraph 3 below, the minimum distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed restaurant service bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed restaurant service bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
  - a. Any leasehold parcel; or
  - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
3. In the case of a restaurant service bar proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
  - a. From the nearest property line of the existing use to the nearest portion of the structure in which the restaurant service bar will be located, without regard to intervening obstacles; or
  - b. In the case of a purposed restaurant service bar which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the restaurant service bar will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a restaurant service bar which also requires a waiver of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirement in Paragraph 1 does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.
- \*6. In the O District, a restaurant service bar is permitted only as an accessory use.



- \*7. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

Ord 5728, 10/6/04

**SECONDHAND DEALER [C-1, C-2]**

- \*1. No outdoor display, sales or storage of any merchandise shall be permitted.
- \*2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
- \*3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Ord 5754 3/16/05  
Ord 5638 11/19/03**SENIOR CITIZEN APARTMENTS [C-1]**

1. For any development that is over three stories in height:
  - a. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.
  - b. Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.
2. The use shall be developed and operated only in connection with ground-level nonresidential development. In the case of a multi-floor structure, the apartment themselves must be located above the ground floor, but access ways, entryways and community rooms may be located on the ground floor.
3. The primary resident or guest entryway to the apartments must be independent of ground floor commercial uses, and must be directly accessible from and oriented to a street.
4. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.
5. For any development that, in accordance LVMC 19.08.045, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements and all minimum setback requirements for the C-1 District shall be met.

**SERVICE STATION [C-1, C-2]**

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
  - a. The dispensing of petroleum products, water and air from pump islands.
  - b. The provision of emergency service of a minor nature.
  - c. The sale of items via vending machines which shall be located next to the main structure.

2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
6. The installation of LPG tanks shall only be permitted as allowed in Section 19.04.060 (B).

Ord 5613 7/2/03

**SLAUGHTER AND PROCESSING OF LIVE POULTRY [C-1, C-2, C-M]**

1. The slaughter and processing --of live poultry shall be limited to chickens. The slaughter or processing of any other poultry or animals is prohibited.
2. The use may not be located closer than one thousand five hundred feet from any other facility used for the slaughter and processing of live poultry.
3. The slaughter and processing of poultry shall occur only as an accessory use to a retail commercial establishment.
4. The sale of poultry on the site shall be limited to retail sales of processed poultry.
5. There shall be no sale of live poultry from the site and no use of the site for the distribution of live or processed poultry for sale off-site.
6. All live poultry shall be stored within an enclosed structure on the site where the processing will take place. The slaughter and processing of poultry shall take place in an enclosed structure that is operated in accordance with all Federal, State and local regulatory criteria, including without limitation all applicable regulations of the Clark County Health District. The processing facility must be available at any time for inspection by any and all regulatory agencies with jurisdiction.
7. The maximum number of live birds allowed to be kept or maintained on site at any one time is fifty.
8. The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of 8:00 a.m. and 8:00 p.m.
9. The exterior and interior of a processing facility shall be maintained in an attractive, safe and sanitary condition at all times, and all on-sit activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to surrounding property owners.
10. Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be located in an area not readily available to the public.

11. All waste and debris shall be removed from the processing facility on a daily basis in accordance with all Federal, State and local regulatory criteria, including without limitation applicable regulations of the Clark County Health District. Waste removal shall take place only between the hours of 8:00 a.m. and 8:00 p.m.
12. No slaughtering or butchering waste of any kind may be stored outside at any time. All such waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature-controlled, sealed room.
13. All glass viewing areas to be used by customers for bird selection shall be installed a minimum of 48 inches above floor level.
14. No live poultry shall remain on-site overnight. Any live poultry not sold by 4:00 p.m. must be slaughtered, processed and packaged for sale with other poultry products.
15. The processing facility shall be landscaped and screened as required in connection with Site Development Plan Review.

### **SUPPER CLUB [N-S THROUGH M]**

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

1. No supper club use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.
2. Except as otherwise provided in Paragraph 3 below, the minimum distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed supper club which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed supper club. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
  - a. Any leasehold parcel; or
  - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
3. In the case of a supper club proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
  - a. From the nearest property line of the existing use to the nearest portion of the structure in which the supper club will be located, without regard to intervening obstacles; or
  - b. In the case of a proposed supper club which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the supper club will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a supper club which also requires a waiver of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

\*5. In the O District, a supper club is permitted only as an accessory use.

- \*6. All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

Ord 5688 4/21/04

#### **SWAP MEET [C-1, C-2]**

1. No outdoor display, sales or storage of any merchandise or equipment is permitted, except in connection with temporary activities that have been authorized by means of a Temporary Commercial Permit.
2. No repair, installation or service work is permitted outside of an enclosed building.
3. All signage, including any temporary signage, shall comply with LVMC Chapter 19.14
4. The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

Ord 5728, 10/6/04

#### **THRIFTSHOP [C-1, C-2]**

- \*1. No outdoor display, sales or storage of any merchandise shall be permitted.
- \*2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas

#### **THRIFTSHOP, NON-PROFIT [C-1, C-2, C-M]**

- \*1. No outdoor display, sales or storage of any merchandise shall be permitted.
- \*2. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.

#### **TRAILER/RV CAMP OR PARK [C-1, C-2, C-M]**

1. The maximum density permitted in a recreational vehicle park is 20 recreational vehicle sites per acre.
2. Recreational vehicle parks shall have a minimum frontage of 100 feet at the building setback line.
3. Recreational vehicle sites, office buildings, accessory buildings and other facilities shall be set back at least 10 feet from any property lines. When adjacent to any property line adjoining a public street, the required setback shall be 15 feet
4. Vehicular spacing:

- a. Pull-through recreational vehicle sites shall maintain 15 feet between vehicle parking on adjoining sites.
  - b. Back-in recreational vehicle sites shall maintain 10 feet between vehicles, to include automobiles parking in adjoining sites.
5. Recreational vehicle sites shall be setback 20 feet from any building.
- \*6. A minimum of 10 percent of the total area of the park shall be reserved for purposes of open space or recreational facilities. Open space area shall be of sufficient size and distribution as to be a functional part of the entire park.
- \*7. All access drives shall be a minimum of 20 feet wide and approved by the City Traffic Engineer.

#### **TRANSITIONAL LIVING GROUP HOME [U, R-A, R-E, R-D, R-1, R-CL, R-2, R-3, R-4, R-5]**

1. The home must be located on a parcel with a minimum size of 6,500 square feet.
2. Off-street parking shall be provided on the basis of at least one space per six residents, plus an additional space for the administrator.
3. Common area shall be provided on the basis of a minimum of 15 square feet per resident.
4. The facility must comply on an ongoing basis with all governmental licensing requirements.

Ord 5655 12/17/03

#### **TRUCKING COMPANY [C-2]**

1. The use shall be limited to office operations and the parking of trucks and trailers.
2. No more than five trucks or trailers, or combination of trucks and trailers, shall be permitted on the site at any one time.
3. The parking of trucks and trailers shall be restricted to locations to the rear of onsite structures so as to not be visible from adjoining streets.
4. None of the following activities shall be permitted on site:
  - a. The repair or servicing of vehicles.
  - b. The storage or warehousing of goods or merchandise.
  - c. The loading or unloading of goods or merchandise.

#### **WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN [ALL DISTRICTS]**

- \*1. No residential use may exist on the property.

- \*2. Any antenna tower that forms part of the facility shall conform with both the setback requirements of the zoning district and the separation requirements of Subchapter 19.08.060.
- \*3. Except in the C-V Zoning District, no antenna tower that forms part of the facility may be located within 600 feet of:
  - a. Any other antenna tower that forms part of a wireless communication facility; or
  - b. Any pole or tower structure of any other type that has a height of at least 60 feet.
- \*4. Antenna towers and associated components shall be initially painted and thereafter repainted with a flat paint, using a color that is approved by the City Council. Except as otherwise required by the Federal Communications Commission or the Federal Aviation Administration, the color of any antenna tower must generally match the surroundings or background so as to minimize its visibility.
- \*5. Failure to perform necessary maintenance and repainting shall be grounds for administrative and other enforcement action, including action pursuant to Condition 9 below.
- \*6. Any proposed antenna tower must be designed to accommodate at least two communication providers or, in the case of a tower that exceeds 80 feet in height, at least three communication providers.
- \*7. No signals, lights, or other attention gaining devices are permitted on any antenna tower or antenna unless required by the Federal Communication Commission or the Federal Aviation Administration; provided, however, that this condition shall not be construed to prevent the mounting of an antenna on a signal, light or sign that has been legally permitted and installed.
- \*8. All ground level equipment, buildings and the base of any antenna tower must be screened so as not be visible from streets and residences, with appropriate landscaping designed to ensure compatibility with surrounding uses.
- \*9. Any abandoned or unused antenna tower, and the associated components of any facility, shall be removed within six months after operations at the site cease. In the event that removal is not timely performed, the City may remove, or cause the removal of, the antenna tower and associated components, and assess the costs of removal against the property. Before taking such action, the City must deliver or mail to the property owner a notice of the City's intent to do so. The property owner shall have 30 days from the date notice is delivered or mailed to request a hearing. The failure to request a hearing shall be deemed to be a waiver of the right to be heard, and the City may immediately cause the removal of the antenna tower and any associated components, and may assess the costs against the property.

Ord 5674  
3/17/04

#### **C. Exceptions to Special Use Permit Requirements for Certain Alcohol Related Uses.**

The Special Use Permit requirements of this Section 19.04.050 do not apply to:

- (1) The locations of facilities that are intended to be operated solely as a Gift Basket Limited; a Gift Shop Limited; a Convention Facility; a Keg Beer; a Nonprofit Club General, with or without a Nonprofit Club Restaurant Service Bar; or a Beer/Wine/Cooler Art Event;
- (2) A Liquor Caterer; or

- (3) The location of any facility specified in liquor catering permit, provided that not more than sixteen catering permits are issued per calendar month to such location.

### **19.04.060 STANDARDS FOR CERTAIN USES**

Ord 5560 1/22/03

#### **A. General**

- (1) This Section provides specific standards for certain uses which otherwise would be permitted as a matter of right. The uses listed are not permitted as a matter of right unless the standards described in this are met. The uses which require these minimum standards are indicated with a "+" by the name of the use in the Land Use Tables.
- (2) Except as otherwise specifically provided regarding a particular use, when not all the conditions itemized in Subsection (B) can be met, a Special Use Permit is required for the use. The approval of a Special Use Permit may include additional conditions beyond those itemized in Subsection (B).
- (3) Some uses listed in Subsection (B) may be accessory uses, and in that case will not be listed in the Land Use Tables as a primary use (e.g. Satellite Dishes). The following uses may be permitted as specified, subject to full and complete compliance with all the standards described.

#### **B. Special Standards**

##### **LIQUEFIED PETROLEUM GAS (LPG)**

1. An LPG installation which includes tanks with an aggregate water capacity of 288 gallons or less is permitted as of right in any zoning district, subject to the requirements applicable to the district, if the installation complies with the provisions of NRS 590.465 et seq. and these regulations.
2. An LPG installation which includes tanks with an aggregate water capacity of more than 288 gallons is excluded in the U zoning district or any zoning district with an "R" prefix.
3. An LPG installation which includes tanks with an aggregate water capacity of more than 288 gallons is not permitted as of right in any zoning district and is allowed with approval of a Special Use Permit in the C-1, C-2, C-PB, CM and M zoning districts.
4. The aggregate capacity provisions of this section shall not apply to mobile parks or similar multiple-unit installations whose units are served by individual tanks if:
  - a. The tanks are not interconnected; and
  - b. Each individual tank has a water capacity of less than 125 gallons.
5. Any LPG installation which is made non-conforming by these specific standards is subject to the expansion and discontinuance provisions set forth in Chapter 19.16.

##### **MANUFACTURED HOME/MOBILE HOME /MOBILE HOME PARK**

Display and sales of manufactured/mobile homes shall be prohibited in the R-MHP District; provided, however, that this prohibition does not apply to:

1. The sale in-place, by the owner or his agent, of a manufactured/mobile home that has previously been located and continuously occupied in that mobile home park by the owner.
2. The sale in-place, by a manufactured/mobile home dealer, of a manufactured/mobile home that has previously been located and continuously occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner.
3. The placement of a manufactured/mobile home within a mobile home park for the purpose of sale or display, or both, as a sales model only.
4. For the purposes of this section, a financial institution that has succeeded to the interest in a manufactured/mobile home of an owner through foreclosure shall be deemed to be the agent of the owner.

### **MANUFACTURED HOME (QUALIFYING FOR TREATMENT AS SINGLE FAMILY DETACHED DWELLING) [U,R-A, R-E, R-D, R-1, R-CL, R-2, R-4, R-5]**

In order to qualify for treatment as a Single Family Detached Dwelling, a manufactured home must:

1. Have been constructed or manufactured within the 5 years immediately preceding the date on which it is affixed to the residential lot;
2. Consist of at least 1,200 square feet of living area, unless the Director approves a reduction in size;
3. Be permanently affixed to the residential lot;
4. Have its foundation masked architecturally or by landscaping, berming or planters; and
5. Be demonstrated to be compatible with homes in the immediate vicinity, in terms of siding material, roofing, color, building configuration, design features, etc.

### **SATELLITE DISHES**

Satellite dishes shall be allowed in any district as an accessory use, provided that they meet the following conditions:

1. **Location.** Satellite dishes are permitted in single-family residential districts in the rear yard only, except that dishes 18 inches in diameter or smaller are also permitted in the side yards. In districts other than single-family residential, satellite dishes are allowed in yard areas or on rooftops.
2. **Screening.** Satellite dishes shall be fully screened from view of streets and public open areas. When located on ground level, they shall be screened to the full height of the structure with landscaping. When located on a rooftop, they shall be located and screened so as to minimize visual impact from other properties in the area.
3. **Size.** Satellite dishes shall not exceed 10 feet in diameter, nor 12 feet in height when the dish is vertically positioned.



**SINGLE-FAMILY, ZERO LOT LINE [R-CL]**

1. Roof overhangs and any architectural projections shall not be permitted to cross property lines.
2. No architectural openings of any kind shall be permitted on walls sited less than three feet from the property line.

**STORAGE AND/OR DISPLAY OF PRODUCTS/EQUIPMENT**

1. **N-S, P-R, O and C-1 Districts.** Unless otherwise permitted in this Title, all storage or display of merchandise or equipment in the N-S, P-R, O and C-1 Districts shall be within a completely enclosed permanent building. No trailers or other portable structures may be used for storage purposes. Live nursery products may be displayed and stored outdoors in the C-1 District.
2. **C-D District.** All storage or display of merchandise or equipment in the C-D District shall be within a completely enclosed permanent building. No trailers or other portable structures may be used for storage purposes.
3. **C-2 District.** Unless otherwise permitted in this Title, all storage and display of merchandise or equipment in the C-2 District shall be within a completely enclosed permanent building unless the merchandise or equipment is appropriately screened as determined by the Director of Planning and Development; provided, however, that the screening shall not be required for a franchised new car dealership or for those uses which are permitted in the C-2 District by way of a Special Use Permit. Furthermore, incidental items which are normally associated with operations which are permitted as a matter of right in the C-2 District shall be allowed without screening or being within a completely enclosed building. No trailers or other portable structures may be used for storage purposes.
4. **C-M, C-PB and M Districts.** Unless otherwise permitted in this Title, all outdoor storage and display of merchandise and equipment in the C-M, C-PB and M Districts shall be screened from view from the public rights-of-way and adjacent residential districts.

**TENNIS COURTS, ACCESSORY [U through R-5]**

1. Lights shall be shielded from adjacent residences.
2. Courts shall be screened from adjacent residences.

**VEHICLES [All Residential Districts]**

1. Except as otherwise provided in Paragraphs 2 to 13, inclusive, motor vehicles, including passenger cars, trucks and motorcycles which are not designed or used for racing or for purposes other than transportation, may be parked, stored or repaired on any property in a residential district, provided the same do not constitute a nuisance, health or fire hazard offense under the provisions of this Code and do not have a detrimental effect on the neighborhood. The motor vehicles shall be stored:

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- a. Within a completely enclosed structure;
  - b. In the front yard, either on an approved driveway, or on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the vehicle; or
  - c. In the side yard, either obscured by a six-foot-high fence to adequately screen the vehicles from view, stored on an approved driveway or stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length of the vehicle; provided, however, that the vehicle storage complies with the other provisions set out in Paragraphs 1 to 13 inclusive.
2. Except as otherwise provided in Paragraph 10 below, on a single- family residential lot:
  - a. No more than three operable vehicles may be stored, or one vehicle per 1,250 square feet of lot area, whichever allows the greater number of vehicles;
  - b. No more than fifty percent of the front yard area may be used for the storage of vehicles; and
  - c. No more than six vehicles, whether operable or inoperable may be stored at one time.
3. In any residential district, a recreational vehicle or trailer, or combination thereof, may be stored only as follows:
  - a. Within an enclosed structure;
  - b. In a rear yard, if stored on a surface of concrete or asphaltic paving, gravel or chat which extends the full length and width of the stored item;
  - c. In a front yard, provided that:
    - i. The side and rear yards are not reasonably accessible for storage purposes. A corner lot shall be deemed to have reasonable access, and the existence of a fence or block wall, by itself, shall not be deemed to prevent reasonable access to the side or rear yards; or
    - ii. The recreational vehicle or trailer, or combination thereof, is stored entirely in the yard area with no portion of the unit located closer than one foot from an adjacent public street or sidewalk; and
    - iii. The recreational vehicle or trailer, or combination thereof, is stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the stored item.
  - d. In a side yard, if the recreational vehicle or trailer, or combination thereof, does not extend closer to the street than the front of the main building on the property, and if it is stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the stored item.
4. Any vehicle being repaired, stored or parked for more than four hours on property in a residential district shall have a manufacturers rated carrying capacity not to exceed one ton,

and any vehicle being repaired must be owned by a permanent resident at the location where the repair takes place, except as provided in Paragraph 9 below.

5. Except as otherwise provided in Paragraph 10 below:
  - a. Any vehicle that is located in a residential district and is in mechanically inoperable condition shall be stored or repaired in a garage, shed or other enclosure; in a driveway; or in a rear yard that is enclosed by a six-foot-high fence to adequately screen the vehicle from view; provided, however, that if the abutting property is undeveloped, the fencing shall not be required until the adjacent property is developed.
  - b. In a residential district, no repair outside of an enclosure may occur later than nine p.m. or earlier than seven a.m.
6. Except as otherwise provided in Paragraph 10 below:
  - a. In a residential district, no more than one vehicle that is in a mechanically inoperable condition shall be stored or repaired at any time outside of a fully enclosed building on the premises, and there shall be no repair of vehicles or storage of mechanically inoperable vehicles in the side yards.
  - b. A vehicle shall not be stored in a mechanically inoperable condition in a residential district for more than ninety days.
7. There shall be no storage of junked vehicles, or parts thereof, in any residential district. Only serviceable parts for owned vehicles may be stored on the premises. Such storage shall not be permitted in the front or side yards but shall be permitted in the rear yard only if such storage is either fully enclosed by a six-foot-high fence to adequately screen the parts from view, or in a fully enclosed building; provided however, that if the abutting property is undeveloped, the fence or enclosed building shall not be required until the adjacent property is developed. No more than two hundred square feet of outside space shall be used for the storage of serviceable parts.
8. On any lot within a residential district, the following are prohibited, except in connection with an approved construction yard or except as necessary to perform grading or construction work on the premises pursuant to a development permit:
  - a. The repair or storage of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction, or industrial equipment; or
  - b. The parking for more than four hours, of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction or industrial equipment.
9. Nothing in Paragraphs 1 to 13, inclusive shall be construed to permit the operation of a business as defined in Title 6. There shall be no repair, restoration or modification of non-owned vehicles for money or barter on residential property. However, nothing in Paragraphs 1 to 13, inclusive, prohibits the temporary emergency repair of owned or non-owned vehicles which have become mechanically inoperable while on the property or in the street.
10. On any residential lot owned by a member of a duly-recognized organization of automobile collectors or restorers, the owner may exceed the limitations on vehicle storage and repair set

forth in Paragraphs 2, 5(a) and 6 above with respect to the restoration, refurbishing or rebuilding of his or her own classic or antique vehicle if

- a. any such vehicle is covered with a fitted full-vehicle pullover cover when it is not being worked on.
11. In order to facilitate vehicle inspection and enforcement under Paragraphs 1 to 13 inclusive, any person engaged in the storage, repair, restoration or modification of any vehicle shall, upon request, provide to any authorized enforcement officer:
    - a. Evidence regarding the ownership of the vehicle, such as current registration, title, bill of sale or other documentation;
    - b. As applicable to the exception set forth in Paragraph 10, evidence sufficient to indicate the person's membership in a duly-recognized organization of automobile collectors or restorers; and
    - c. As applicable to the exception set forth in Paragraph 10, evidence sufficient to indicate that the vehicle or vehicles in question are actually and currently in the process of being restored, refurbished or rebuilt.
  12. The provisions of Paragraphs 1 to 13, inclusive, shall apply to any person in control or lawful possession of any real property within a residential district, including an owner, tenant, occupant, lessee or otherwise
  13. For purposes of Paragraphs (1) and (3), an "Approved driveway" means a driveway that complies with all applicable curb cut requirements that have been established by the City.

#### **19.04.070 USE RESTRICTIONS FOR P-R AND C-D DISTRICTS**

##### **A. P-R District**

All uses in the P-R District shall conform to the following:

1. No products shall be stored, displayed or sold on the premises.
2. No trucks, vans or other commercial vehicles shall be stored or parked on the property overnight.
3. No service shall be performed upon a client except those related to the service of the medical profession including dentists, opticians, optometrists, chiropractors, etc.
4. Services shall not include the production or repair of any goods except as an incidental use to a permitted service.
5. Instructional services must be limited to a two to one pupil/instructor ratio provided, however, in connection with instructional services to be provided at a physician's office, the Director of the Department of Planning and Development may approve a higher pupil/instructor ratio upon a showing that sufficient off-street parking is available for the number of pupils anticipated. Equipment used for instructional purposes must be stored within the building.

6. There shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.
7. No use or business activity shall remain open to the public for business between the hours of 9:00 PM through 7:00 AM. All exterior lighting, except for security lighting, shall be turned off.

#### **B. C-D District**

All uses in the C-D District shall conform to the following:

1. Retail shops shall sell new merchandise exclusively except for antique shops. All products produced, whether primary or incidental, shall be sold at retail on the premises, and not more than two persons shall be engaged in the production of such products.
2. There shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.
3. No use or business activity shall remain open to the public for business between the hours of 9 PM and 7 AM.
4. All uses and activity shall be contained within a completely enclosed building and there shall be no outside storage, service or sales.

### **19.04.080 SIMILAR AND PROHIBITED USES**

#### **A. Unlisted Uses**

The uses permitted in this Chapter are classified on the basis of common operational characteristics and land use compatibility. Uses not specifically listed in this Chapter are prohibited. However, additional new and unlisted uses may be permitted by the Director if the Director finds that the use is similar to other uses listed in the same zoning district.

#### **B. Appeals**

An applicant who is aggrieved by the decision of the Director with respect to the allowability of an unlisted use may appeal the decision to the City Council. The appeal shall be filed in the office of the City Clerk, with a copy to be filed in the office of Department of Planning and Development. Unless otherwise stated in the Council's action, the determination of the Council with respect to the appeal shall constitute a permanent and consistent interpretative decision which the Director shall apply in all future instances.

#### **C. Conditions**

When considering requests to permit a new or unlisted land use as being similar to a listed use, the Planning Director or City Council shall consider the potential effects of the use on adjacent properties in terms of requirements for services, visual impact, traffic generation, the extent to which the use is consistent with other uses allowed in the district, and other issues they deem appropriate. Based upon such consideration, the Director or Council, in approving a request under this Subchapter, may impose appropriate and reasonable conditions designed to ensure compatibility and consistency of uses.

**D. Authorization of New Uses**

New uses which have been permitted by the Director or City Council, pursuant to the subchapter shall be added by ordinance amendment on a periodic basis.

**19.04.090 INTENT AND EFFECT OF CROSS-REFERENCING TOOLS**

The Land Use Tables that appear in Subchapter 19.04.010 and the various minimum standards that are set forth in other Subchapters of this Chapter 19.04 include certain cross-referencing tools that are intended to assist the City and the public in using and applying the Zoning Code. For example, the Land Use Tables include asterisks and plus signs that are intended to remind the user to consult other portions of the Zoning Code for additional information. Likewise, language in the other Subchapters of this Chapter occasionally refers to the Land Use Tables to help the user correlate the various provisions of the Code that apply. These cross-referencing tools are for the sake of convenience and assistance only, and do not diminish the applicability of substantive standards and limitations of this Code. Except as otherwise specifically indicated, the absence or omission of an asterisk or plus sign in the Land Use Tables shall not be deemed to limit or negate any other provision of this Code.